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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SERGIO ZARAZUA,  
Petitioner,  
v.  
RALPH DIAZ,  
Respondent.

No. 2:12-cv-1500-JAM-EFB P

ORDER

Petitioner, a state prisoner proceeding without counsel, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 26, 2013, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 26, 2013, are adopted in full;
2. Respondent’s motion to dismiss (ECF No. 13) is denied;

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3. Petitioner's motion for a stay (ECF No. 19) is denied without prejudice; and
4. Respondent is directed to file an answer to the petition within 30 days of this order.

DATED: October 23, 2013

/s/ John A. Mendez  
UNITED STATES DISTRICT COURT JUDGE