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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 16, 2013 (ECF No. 34), are ADOPTED in full;
2. Respondents' January 29, 2013 motion to dismiss (ECF No. 18) is DENIED;
3. Respondents are directed to file an answer to petitioner's habeas petition within sixty days from the date of this order, see Rule 4, 28 U.S.C. foll. § 2254, accompanied by all transcripts and other documents relevant to the issues presented in the petition. See Rule 5, 28 U.S.C. foll. § 2254; and
4. Petitioner's traverse, if any, be filed and served within thirty days after service of the answer.

Dated: September 16, 2013



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT