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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CERON HILL,

Petitioner,

No. 2:12-cv-2098 DAD P

vs.

MARTIN BITER, et al.,

Respondents.

ORDER

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding through counsel, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has paid the filing fee.

It appears from review of the petition that petitioner may be entitled to relief if the claimed violations of constitutional rights is proved. On August 22, 2012, petitioner filed a motion stay this action pending exhaustion of state court remedies with respect to unexhausted claims. Good cause appearing, respondents will be directed to file a response to petitioner’s motion to stay. The court will defer setting a briefing schedule on the claims raised in the petition pending resolution of petitioner’s motion to stay.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Within twenty-one days from the date of this order respondents shall file and serve a response to petitioner’s August 22, 2012 motion to stay;

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2. Petitioner's reply, if any, shall be filed and served not later than fourteen days thereafter; and

3. The Clerk of the Court shall serve a copy of this order, the form Consent to Proceed Before a United States Magistrate Judge, a copy of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, a copy of the signed affidavit of Vroy Lefcourt filed August 24, 2012, and a copy of petitioner's August 22, 2012 motion to stay on Michael Patrick Farrell, Senior Assistant Attorney General.

DATED: August 27, 2012.

  
\_\_\_\_\_  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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