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

DAVID G. LEONARD,
Petitioner,

No. 2:12-CV-02161-MCE-CMK-P

vs.

ORDER

JAMES HARTLEY,
Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition 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 Eastern District of California local rules.

On March 13, 2013, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No objections to the findings and recommendations have been filed.

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.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 13, 2013 (ECF No. 29.), are adopted in full;
2. Petitioner's motion for a stay-and-abeyance order (Doc. 2) is denied;
3. Petitioner may file an amended petition containing only exhausted claims within 30 days of the date of this order; and
4. If petitioner does not file an amended petition containing only exhausted claims within the time provided, the court will by separate order dismiss this action for failure to exhaust state court remedies and direct entry of final judgment by the Clerk of the Court.

IT IS SO ORDERED.

Date: June 07, 2013


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