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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CURTIS D. COLVARD,  
Petitioner,  
v.  
SACRAMENTO COUNTY SUPERIOR  
COURT,  
Respondent.

No. 2:13-cv-1709 GGH P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On September 9, 2013, this court recommended that the petition be dismissed for failure to exhaust state court remedies. That recommendation is now pending before the district court.

On February 18, 2014, petitioner filed a document requesting that this court rescind the restitution order pending adjudication of this matter. Assuming that the restitution order pertains to the conviction that is the subject of the instant habeas petition, petitioner is informed that his request will not be addressed without previous state court exhaustion.

Accordingly, IT IS HEREBY ORDERED that: petitioner’s motion to rescind restitution order, filed February 18, 2014 (ECF No. 17), is disregarded.

Dated: February 25, 2014

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE