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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY NOBLE KENNEDY,
Petitioner,
v.
WARDEN, San Quentin State Prison,
Respondent.

No. 2:13-cv-02041 KJM KJN DP
DEATH PENALTY CASE
ORDER

Pursuant to the court’s February 13, 2015 order, the parties filed a joint statement explaining the exhaustion status of the claims in the petition and proposing a briefing schedule for petitioner’s motion to stay/abey these proceedings pending exhaustion. Good cause appearing, IT IS HEREBY ORDERED as follows:

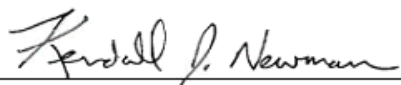
1. The parties agree the following claims in the petition filed here on January 12, 2015, are unexhausted and this court finds they are: Claim VI, subclaim (a); Claim VI, subclaim (b)(2); Claim VII, subclaim (a); Claim VII, subclaim (b)(1); Claim XI, subclaim (a); Claim XII; and Claim XIII.
2. Within 45 days of the filed date of this order, petitioner shall file any motion for stay and abeyance of these proceedings pending exhaustion. Within 30 days of petitioner’s

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filing, respondent shall file a response. Within 15 days thereafter, petitioner may file a reply.

Dated: May 13, 2015


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

Kennedy exh id.or