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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY NOBLE KENNEDY,
Petitioner,

v.

KEVIN CHAPPELL, Warden of San
Quentin State Prison,
Respondent.

No. 2:13-cv-2041 KJM KJN DP

ORDER

By order filed April 19, 2016, this action was stayed pending the California Supreme Court’s resolution of petitioner’s exhaustion petition. (ECF No. 83 at 4.) On June 3, 2016, the stay was temporarily lifted by the undersigned to consider whether new evidence should be considered by the California Supreme Court, and petitioner was directed to present the newly identified evidence to the California Supreme Court. (ECF No. 88.) The petition is presently pending in the California Supreme Court. Kennedy, Jerry Noble, on Habeas Corpus, No. S235415 (Cal. Sup. Ct.). Therefore, the temporary lift of the stay is vacated, and the Clerk of the Court shall renew the stay of this case effective June 4, 2016.

Accordingly, IT IS HEREBY ORDERED that:

1. The temporary lift of the stay is vacated; and

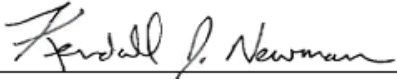
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2. The Clerk of the Court shall renew the stay of this case effective June 4, 2016.

Dated: November 29, 2016

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE