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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD FRANCIS SCIOSCIOLE,  
Petitioner,  
v.  
GOWER,  
Respondent.

No. 2:13-cv-2438 CKD P

ORDER

Petitioner, a state prisoner proceeding pro se, is proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. He has filed a motion asking that this matter be stayed while he exhausts state court remedies in the California Supreme Court with respect to his claim that he received ineffective assistance of appellate counsel on direct appeal. A review of California Supreme Court records in case S217920 reveals that on June 11, 2014, petitioner's petition for a writ of habeas corpus was denied. Therefore petitioner's request for a stay of this matter is moot.

Good cause appearing, petitioner will be granted 30 days within which to file a motion for leave to file an amended petition for writ of habeas corpus. If petitioner elects to file a motion to amend, he must include a copy of his proposed amended petition which must contain all of petitioner's proposed claims.

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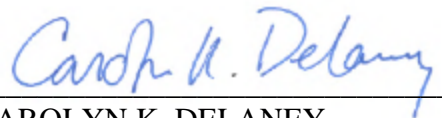
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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's April 17, 2014 motion for a stay (ECF No. 13) is denied as moot; and

2. Petitioner is granted 30 days within which to file a motion for leave to file an amended petition for writ of habeas corpus. If petitioner elects to file a motion to amend, he must include a copy of his proposed amended petition. If no motion to amend is filed within 30 days, the court will proceed on petitioner's original petition.

Dated: June 23, 2014

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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