

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE WALLACE,  
Petitioner,  
v.  
RON E. BARNES,  
Respondent.

No. 2:14-cv-157-MCE-EFB P

ORDER

Petitioner is a state prisoner proceeding without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner requests that this action be stayed while he exhausts an ineffective assistance of counsel claim and a prosecutorial misconduct claim in state court. ECF No. 6. Respondent filed a statement of non-opposition to petitioner’s request. ECF No. 17.

Good cause appearing, IT IS HEREBY ORDERED that:

1. Petitioner’s February 7, 2014, motion for stay and abeyance (ECF No. 6) is granted.
2. This action is stayed pending exhaustion of the two claims identified in petitioner’s motion to stay.
3. The Clerk is directed to administratively terminate the case.
4. Petitioner must promptly present his claims in state court if he has not already done so.

////

////

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

5. Petitioner must inform the court within thirty (30) days of any order by the California Supreme Court disposing of his two claims. If no such order has issued within six months from the date of this order, petitioner shall so inform the court through a status report, and petitioner shall continue to file status reports every six months until such an order issues.
6. Failure to comply with this order may result in dismissal of this action for failure to prosecute and comply with court orders.

DATED: May 29, 2014.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE