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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARIO PENA,  
Petitioner,  
v.  
SCOTT FRAUENHEIM,  
Respondent.

No. 2:15-cv-0416 GEB CKD P

ORDER

Petitioner, a California prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma pauperis. Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be granted. See 28 U.S.C. § 1915(a).

Petitioner has filed a motion asking that this matter be stayed while he exhausts state court remedies with respect to some of the claims presented in his petition for writ of habeas corpus. Good cause appearing, that request will be granted. Petitioner is warned, however, that by staying this action the court makes no determination as to whether any of petitioner’s claims are barred by the applicable statute of limitations or whether the limitations period should be tolled.

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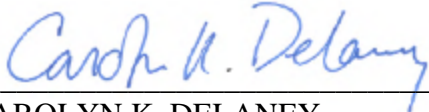
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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's request for leave to proceed in forma pauperis (ECF No. 9) is granted;
2. Petitioner's request that this matter be stayed (ECF No 1) is granted;
3. This matter is stayed;
4. The Clerk of the Court is directed to administratively close this case; and
5. Petitioner shall inform the court when he has exhausted state court remedies with

respect to all of the claims presented in his petition for writ of habeas corpus.

Dated: April 13, 2015

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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