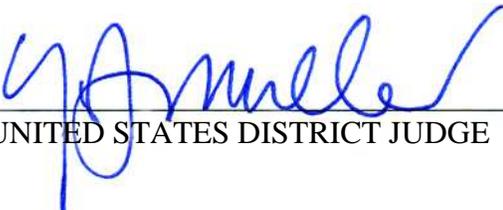


1 exhaust state court remedies. Petitioner appears to acknowledge that he has not exhausted state
2 court remedies with respect to any of the three claims in the petition before the court, and that
3 those claims are pending before the state court of appeal. *See* ECF No. 9 at 3. Given that
4 acknowledgement, for the reasons set forth in the findings and recommendations this court has no
5 authority to stay this action.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations filed July 20, 2015, are adopted in full;
- 8 2. Petitioner's motion for stay and abeyance, ECF No. 2, is DENIED; and
- 9 3. This matter is referred back to the magistrate judge for further proceedings on the July
10 20, 2015 order to show cause.

11 DATED: October 7, 2015.

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15 UNITED STATES DISTRICT JUDGE
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