

1 After the magistrate judge issued the findings and recommendations, the United States
2 Court of Appeals for the Ninth Circuit held that completely unexhausted habeas petitions may be
3 stayed if the criteria for a stay under *Rhines v. Weber*, 544 U.S. 269 (2005) are met. *Mena v.*
4 *Long*, ___ F.3d ___, 2016 WL 625405 (9th Cir. Feb. 17, 2016). Good cause appearing, this
5 matter will be referred back to the assigned magistrate judge for further consideration in light of
6 *Mena*.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The findings and recommendations filed February 8, 2016, are not adopted; and
 - 9 2. This matter is referred back to the assigned magistrate judge for further consideration
- 10 in light of *Mena v. Long*, ___ F.3d ___, 2016 WL 625405 (9th Cir. Feb. 17, 2016).

11 DATED: March 18, 2016.

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15 UNITED STATES DISTRICT JUDGE
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