

1 2016). On March 21, 2016, the presiding district judge declined to adopt the undersigned's
2 recommendations because of the Ninth Circuit's holding in Mena. ECF No. 16. Instead, the
3 district judge instructed the undersigned to reconsider petitioner's motion in light of Mena. Id. In
4 accordance with the district judge's order, the court will give petitioner the opportunity to file a
5 second motion for relief from judgment taking Mena's recent holding into consideration. If
6 petitioner does not file a second motion within thirty days of its service, the court will reconsider
7 his existing motion for relief from judgment (ECF No. 14) in light of Mena. Petitioner is advised
8 that he must show good cause for the belated exhaustion of presently unexhausted claims he now
9 desires to pursue.

10 Accordingly, IT IS HEREBY ORDERED that:

11 1. Petitioner shall file a second motion for relief from judgment, if any, within thirty days
12 of the service of this order.

13 Dated: March 28, 2016

14 /s/ Gregory G. Hollows

15 UNITED STATES MAGISTRATE JUDGE

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