

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

ROBERT R. BORYS,
Petitioner,
v.
DANIEL PARAMO,
Respondent.

No. 2:15-cv-1942 WBS AC P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 14, 2015, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within twenty-one days. ECF No. 9. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed December 14, 2015 (ECF No. 9), are adopted in full;


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

2. Petitioner's motions for stay and abeyance (ECF Nos.7, 8) are granted;

3. Upon receiving the ruling of the California Supreme Court exhausting petitioner's as-yet unexhausted grounds, petitioner is required, within thirty days thereafter:

- a. To inform this court of any such ruling and to request the stay be lifted; and
- b. To file an amended federal petition containing all of his exhausted claims.

Dated: January 20, 2016



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

Bory1942.800.hc.d