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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

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

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

FINDINGS & RECOMMENDATIONS


On January 20, 2016, the district judge adopted the undersigned’s findings and recommendations that petitioner’s motions for stay and abeyance be granted. ECF No. 10. In granting the stay, the district court ordered that upon exhausting his administrative remedies, petitioner was to notify the court of the California Supreme Court’s ruling, request the stay be lifted, and file an amended federal petition containing all of his exhausted claims. Id. Petitioner has now filed a first amended petition that states that the California Supreme Court denied his petition on February 17, 2016 (ECF No. 11 at 3); requests that the stay be lifted (id. at 16); and includes his newly exhausted claims (id. at 18-38).

Accordingly, IT IS HEREBY RECOMMENDED that the stay be lifted and the case proceed on the first amended petition.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days

1 after being served with these findings and recommendations, petitioner may file written
2 objections with the court. Such a document should be captioned "Objections to Magistrate
3 Judge's Findings and Recommendations." Petitioner is advised that failure to file objections
4 within the specified time may waive the right to appeal the District Court's order. Martinez v.
5 Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 DATED: April 7, 2016

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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