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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANUL MALIK RAM,  
Petitioner,  
v.  
SACRAMENTO COUNTY,  
Respondent.

No. 2:15-cv-2074 WBS DB P

ORDER

Petitioner is a state prisoner proceeding through counsel with a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner filed a pro se petition on August 25, 2015. In April 2016, counsel was appointed for petitioner. On November 20, 2016, petitioner filed a motion to amend the petition. (ECF No. 24.) In a joint status report filed January 14, 2017, respondent does not object to the filing of the first amended petition and the parties agree that the first amended petition contains unexhausted claims. (ECF No. 27.) The parties propose a schedule for briefing three motions: (1) petitioner’s motion to stay and abey these proceedings pending exhaustion; (2) respondent’s motion to dismiss; and (3) petitioner’s motion for equitable tolling. The court finds the parties’ proposed schedule reasonable.

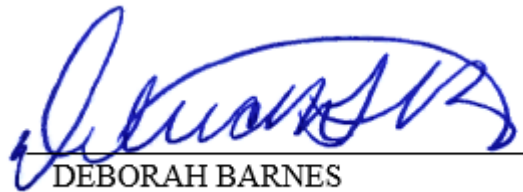
Good cause appearing, IT IS HEREBY ORDERED as follows:

1. Petitioner’s motion to amend the petition (ECF No. 24) is granted;
2. The First Amended Petition (ECF Nos. 24-1, 24-2) is deemed filed;

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3. By January 31, 2017, petitioner shall file any motion to stay and obey these proceedings;
4. Within thirty days of the filing of petitioner's motion, respondent shall file an opposition and any motion to dismiss;
5. Within thirty days of the filing of respondent's opposition and motion, petitioner shall file any reply to the motion to stay, an opposition to the motion to dismiss, and any motion for equitable tolling;
6. Within fourteen days of petitioner's filings, respondent shall file any reply to the motion to dismiss and any opposition to the motion for equitable tolling;
7. Within seven days of respondent's filings, petitioner shall file any reply to the motion for equitable tolling; and
8. The parties need not notice the motions for hearing(s). After reviewing the motions, the court will schedule argument if necessary.

Dated: January 19, 2017

  
DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

DLB:9  
DLB1/prisoner-habeas/ram2074.sch or