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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH O. OWENS,
Petitioner,
v.
JOE A. LIZARRAGA,
Respondent.

No. 2:16-cv-02977 AC P

ORDER

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Plaintiff has consented to the jurisdiction of the undersigned Magistrate Judge for all purposes pursuant to 28 U.S.C. § 636(c) and Local Rule 305(a). See ECF No. 6.

Review of the petition and related filings demonstrates that petitioner intended for these matters to be filed in Case No. 2:15-cv-01286 KJM GGH P, in which petitioner was granted a stay and abeyance to exhaust state court remedies by order filed January 5, 2017.¹ Therefore, petitioner’s filings in the instant case will be transferred to Case No. 2:15-cv-01286 KJM GGH P, which shall become petitioner’s only remaining open case. Petitioner must file all further

¹ The undersigned notes that, prior to the opening of the instant case, petitioner sought to submit his exhausted petition in yet a third case, Case No. 2:16-cv-02272 CKD P, which previously had been closed because duplicative of Case No. 2:15-cv-01286 KJM GGH P.

1 documents concerning his petition for writ of habeas corpus in Case No. 2:15-cv-01286 KJM
2 GGH P.

3 Accordingly, IT IS HEREBY ORDERED that:


4 1. The Clerk of Court is directed to file in Case No. 2:15-cv-01286 KJM GGH P the
5 following documents inadvertently filed in the instant case: Petition for Writ of Habeas Corpus
6 (ECF No. 1), Notice of Filing (ECF No. 3), and Exhibits (ECF No. 5).

7 2. The Clerk of Court shall, on the docket in Case No. 2:15-cv-01286 KJM GGH P,
8 reference and summarize the instant order.

9 3. Petitioner shall file all further matters concerning his petition for writ of habeas corpus
10 in Case No. 2:15-cv-01286 KJM GGH P.

11 4. The instant action is dismissed without prejudice; the Clerk of Court is directed to
12 close this case.

13 DATED: March 21, 2017

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15 ALLISON CLAIRE
16 UNITED STATES MAGISTRATE JUDGE
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