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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LISA D. PEREZ,
Petitioner,
v.
D.G. ADAMS,
Respondent.

No. 2:17-cv-01351-MCE-GGH

ORDER

Petitioner appears in this habeas action civil rights matter pro se and inform a pauperis. The case was assigned to the magistrate judge pursuant to Eastern District of California Local Rule No. 302(17).

On January 2, 2018, the magistrate issued an Order that petitioner should either request a Rhines stay or elect to dismiss her petition. Petitioner was warned that failure to respond within the 30 day period allowed would result in a *sua sponte* dismissal of her petition by the court. ECF No. 24. More than 30 days have passed and petitioner has neither sought a Rhines stay nor elected dismissal.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, The Court has conducted a de novo review of this case. Having reviewed the file and the magistrate judge’s order, the Court *sua sponte* orders dismissal of this case without prejudice.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Petition filed in this case is DISMISSED; and
2. The Clerk of the Court shall close this case.

IT IS SO ORDERED.

Dated: March 13, 2018


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE