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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

TROY N. TOERPE,  
Petitioner,  
v.  
BRIAN DUFFY,  
Respondent.

No. 2:18-CV-0093-DMC-P

ORDER

Petitioner, a state prisoner proceeding with retained counsel, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is respondent's motion to dismiss (Doc. 13). No opposition to the pending motion has been filed. Therefore, pursuant to Eastern District of California Local Rule 230(c), the hearing scheduled for March 6, 2019, at 10:00 a.m., before the undersigned in Redding, California, is hereby taken off calendar and the matter is submitted on the record and briefs without oral argument.

IT IS SO ORDERED.

Dated: February 28, 2019



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE