




1 case. Nine days later, plaintiff filed the present action. It is clear both from the short passage of  
2 time, and from the face of plaintiff's complaint herein, that he has not yet exhausted his claims in  
3 the state courts. He must do so before he attempts to raise them, through a habeas corpus petition,  
4 again in this court.

5 Accordingly, the Clerk of the Court is HEREBY ORDERED to randomly assign a district  
6 judge to this case; and

7 IT IS RECOMMENDED that this action be dismissed.

8 These findings and recommendations will be submitted to the United States District Judge  
9 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
10 after being served with these findings and recommendations, plaintiff may file written objections  
11 with the court. The document should be captioned "Objections to Magistrate Judge's Findings  
12 and Recommendations." Plaintiff is advised that failure to file objections within the specified  
13 time may result in waiver of the right to appeal the district court's order. Martinez v. Ylst, 951  
14 F.2d 1153 (9th Cir. 1991).

15 Dated: June 6, 2018

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19 DEBORAH BARNES  
20 UNITED STATES MAGISTRATE JUDGE

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