




1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- 2. Respondent’s motion to dismiss (ECF No. 12) is denied.
- 3. Petitioner’s motion for a stay and abeyance (ECF Nos. 21, 23), pursuant to Rhines v. Weber, 544 U.S. 269 (2005), is granted.
- 4. Petitioner’s proposed first amended § 2254 petition (ECF No. 18) is stricken from the docket as unnecessary.
- 5. The Clerk of Court is directed to administratively close this case.
- 6. Petitioner shall file a status report with the court every 6 months indicating what efforts he has taken to properly exhaust claim six.
- 7. Petitioner shall file a motion to lift the stay within 30 days from the date of any decision by the California Supreme Court.

Dated: July 22, 2022

  
\_\_\_\_\_  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE