

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERHAN KAYIK,  
Petitioner,  
v.  
RALPH M. DIAZ,  
Respondent.

NO. C12-5907 TEH

ORDER OF SERVICE AND  
SCHEDULING ORDER RE:  
PETITIONER'S MOTION TO  
STAY


On January 4, 2013, Petitioner Erhan Kayik filed a motion to stay this case and hold it in abeyance to allow him to exhaust his unexhausted claims. With good cause appearing, IT IS HEREBY ORDERED that:

1. The Clerk's office shall serve a copy of the motion, the petition, and this order on Respondent's attorney, the Attorney General of the State of California. This case has been designated for electronic filing, and Respondent's counsel shall immediately register with the Court's electronic case filing ("ECF") system.

2. If Respondent agrees with Petitioner's request to stay this case, then the parties shall file a stipulation and proposed order on or before **February 11, 2013**. If Respondent does not agree, then Respondent shall file an opposition on or before **February 11, 2013**, and Petitioner shall file a reply on or before **February 19, 2013**. The motion to stay will then be deemed submitted on the papers without oral argument.

**IT IS SO ORDERED.**

Dated: 01/10/13

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT