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11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

14 **TERRELL LOVE,**
 15 **Petitioner,**
 16 **v.**
 17 **RICK HILL, Warden,**
 18 **Respondent.**

No. 12-06068 JSW

**REQUEST FOR PERMISSION TO
 FILE SUPPLEMENTAL PLEADING
 (Fed. Rules Civ. Proc., Rule 15(d))
 AND ORDER THEREON**

21
 22 Petitioner in the above-titled action, through his counsel, and pursuant to Federal
 23 Rules of Civil Procedure, Rule 15(d), hereby requests permission to file a
 24 supplemental pleading to the petition for a writ of habeas corpus, filed pursuant to 28
 25 U.S.C. section 2254, on November 30, 2012.

27 Claim E in paragraph V of the petition for writ of habeas corpus filed on
 28 November 30, 2012 was subject to a request for stay and abeyance, pending

1 disposition of that identical claim in a state habeas petition to be filed expeditiously. A
2 state petition raising the identical claim was filed in the California Supreme Court as
3
4 case number S207493 on December 20, 2012. It was denied on February 13, 2013,
5 thereby rendering the request for stay and abeyance moot, and necessitating an
6 amendment to the original federal pleading filed in this case.
7

8 Dated: March 5, 2013
9

10 Respectfully submitted,
11

12 /s/ Mark D. Greenberg
13 Attorney for Petitioner
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Dated: March 7, 2013