

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**JORGE AYALA,**  
**Petitioner,**  
**vs.**  
**GREG LEWIS,**  
**Respondent.**

**Case No.: 11-cv-5708 YGR**  
**ORDER DISSOLVING STAY; DIRECTING**  
**RESPONDENT TO FILE RESPONSE TO FIRST**  
**AMENDED PETITION; SETTING COMPLIANCE**  
**HEARING RE: CASE STATUS**

On May 17, 2013, the Court issued an order denying Respondent’s motion to dismiss and staying the instant habeas proceedings until further order of the Court. (Dkt. No. 7.) The matter was stayed pending Petitioner’s exhaustion of his state judicial remedies. Petitioner was also ordered to file periodic status reports regarding the exhaustion of his state judicial remedies.


On February 6, 2015, Petitioner, by his counsel, indicated that he intended to file either an amended petition with only fully exhausted claims or file an exhaustion petition. (Dkt. No. 12.) On September 25, 2015, Petitioner filed his First Amended Petition for writ of habeas corpus, along with points and authorities in support of the petition. (Dkt. Nos. 19, 20, 21.) However, no request to lift the stay was filed at that time or thereafter.

The Court hereby **ORDERS** that the stay in this matter is **DISSOLVED**. Respondent is directed to file its response to the First Amended Petition within 21 days of this Order.

A compliance hearing regarding the status of the First Amended Petition and response thereto is **SET** for **Friday, November 18, 2016**, on the Court’s 9:01 a.m. calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, Courtroom 1. If Respondent has filed a timely response to the petition, or a statement explaining failure to do so, the compliance hearing will be vacated.

**IT IS SO ORDERED.**

Dated: October 19, 2016

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**