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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MICHAEL SUA
Petitioner,
vs.
JAMES TILTON, Secretary
Respondent.


CASE NO. 07cv1338 JM(BLM)
ORDER ADOPTING REPORT AND
RECOMMENDATION RE:
DENYING PETITIONER'S
REQUEST FOR STAY AND
ABEYANCE

Having carefully considered Magistrate Judge Major's Report and Recommendation Denying Petitioner's Request for Stay and Abeyance ("R & R"), the record before the court, Petitioner's Objections to the R & R, and applicable authorities, the court adopts the R & R in its entirety.

In his Objections, Petitioner sets forth essentially the same arguments raised in the Request for Stay and Abeyance and addressed in the R & R. Instead of responding to these arguments a second time, the court adopts the R & R in its entirety. In sum, the R & R is adopted in its entirety and the court denies the Request for Stay and Abeyance.

IT IS SO ORDERED.

DATED: November 4, 2010


Hon. Jeffrey T. Miller
United States District Judge

cc: All parties