

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00114-LTB-MEH

MACK W. THOMAS,

Applicant,

v.

JOE ORTIZ, Executive Director of D.O.C., and  
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on October 29, 2009.**

Applicant's Petition [Motion] to Stay State Court Proceedings [filed October 26, 2009; docket #87] is **denied**. The United States Code, 28 U.S.C. § 2251(a)(1), explicitly requires that a stay of state court proceedings must be based upon a "matter involved in the habeas corpus proceeding." Applicant requests a stay of his recent conviction and incarceration for a probation violation; however, the new matter is not involved in the current habeas corpus proceeding. *See* October 16, 2009 Minute Order at docket #84.