

entered by Judge Hogan in this case continue in effect.¹

2. The Supreme Court has explicitly approved the stay-and-abe procedure in the context of federal habeas corpus proceedings. *See Rhines v. Weber*, 544 U.S. 269 (2005).

WHEREFORE, Petitioner, with the consent of Respondents, respectfully requests that the Court grant this motion and stay the proceedings.

Respectfully submitted,

/s/Billy H. Nolas

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Dated: November 19, 2008

¹Respondents have initiated an appeal of Judge Hogan's order with respect to the 30-day notice.

Certificate of Service

I hereby certify that a true and correct copy of the foregoing instrument has been served on Respondents through the Electronic Case Filing System to the following attorneys:

Mr. Terry Henry
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/s/Billy H. Nolas
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Dated: November 19, 2008