

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FRANK GUBANIC,

Petitioner,

v.

Case No: 8:16-cv-1626-T-30TGW

UNITED STATES OF AMERICA,

Respondent.

_____ /

ORDER

THIS CAUSE is before the Court on Petitioner Frank Gubanic's Unopposed Motion to Stay 28 U.S.C. § 2255 Proceedings (Dkt. 5).

After due consideration, it is **ORDERED AND ADJUDGED** that:

1. Petitioner Frank Gubanic's Unopposed Motion to Stay 28 U.S.C. § 2255 Proceedings (Dkt. 5) is GRANTED.

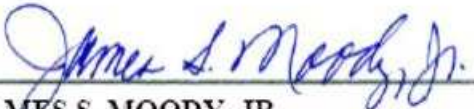
2. This action is STAYED AND ADMINISTRATIVELY CLOSED pending a decision from the United States Court of Appeals for the Eleventh Circuit in *United States v. Fritts*, Appeal No. 15-15699-CC.

3. The Clerk is directed to close this file and terminate all pending motions.

4. The corresponding motion to vacate in criminal case number 8:08-cr-499-T-30TGW (CR Dkt. 70) is terminated.

5. Counsel for Petitioner may move to reopen this action, if desired, within thirty (30) days after the Eleventh Circuit issues its opinion in *Fritts*.

DONE and **ORDERED** in Tampa, Florida, this 2nd day of September, 2016.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record