

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ABDUL RAHID ISAAC,	:	
	:	
Petitioner,	:	
	:	
v.	:	
	:	No. 5:10-CV-252 (CAR)
DENNIS BROWN,	:	
	:	
Respondent.	:	
_____	:	

ORDER ON RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

Before the Court is the Recommendation of the United States Magistrate Judge [Doc. 35] to stay and hold the instant habeas corpus proceeding in abeyance so that Petitioner Abdul Rahid Isaac may pursue his unexhausted claims in state court. Neither party has filed an objection to the Recommendation and the time in which to do so has expired. Upon review of the Recommendation and consideration of the matter, the Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation [Doc. 35] is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**. Petitioner’s 28 U.S.C. § 2254 petition seeking habeas

corpus relief is hereby **STAYED** and **HELD IN ABEYANCE**, pending further order of the Court.

The Magistrate Judge also recommended that Petitioner be ordered to file the following: (1) within thirty (30) days after the stay is entered, an appropriate state court motion for relief raising any unexhausted issues; (2) a Notice of Compliance with the Court, advising the Court that the state court motion has been filed; and (3) within thirty (30) days after state court exhaustion is completed, a motion to lift the stay.

On October 4, 2012, Petitioner filed a Notice of Compliance [Doc. 35], presumably after he received the Magistrate Judge's Recommendation but before this Court had adopted the Recommendation as the Order of the Court, informing the Court that he has filed an appropriate state court motion regarding any unexhausted issues. Despite Petitioner's premature filing, the Court will nevertheless accept Petitioner's Notice of Compliance [Doc. 35]. In light of this instant Order and the record as it presently stands, Petitioner is hereby **ORDERED** to file within thirty (30) days after state court exhaustion is completed, a motion to lift the stay.

SO ORDERED, this 23rd day of October, 2012.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

LMH