

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

TROY RHODES

CIVIL ACTION

VERSUS

NO. 11-0399

WARDEN, BURL CAIN

SECTION: "C" (6)

ORDER

The Court, having considered the petition, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Report and Recommendation, hereby approves the Report and Recommendation and adopts it as its opinion in this matter.

Therefore,

IT IS ORDERED that petitioner, Troy Rhodes' motion to amend and stay/abate federal proceedings be **GRANTED** (Rec. Doc. 7) and Rhodes' application for federal habeas corpus relief be **STAYED**. The Clerk of Court shall mark this action as **CLOSED** for statistical purposes.

IT IS FURTHER ORDERED that the Court retain jurisdiction in this matter and that petitioner be allowed to file a motion to reopen these proceedings within thirty (30) days after the Louisiana Supreme Court issues its ruling on his pending writ application.

New Orleans, Louisiana, this 29th day of June, 2011.


UNITED STATES DISTRICT JUDGE