

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VICTOR MANUEL MEDINA,

Petitioner,

v.

MICHAEL CORSINI, Superintendent
Massachusetts Treatment Center,

Respondent.

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Civil Action No. 12-12399-JLT

ORDER

May 29, 2013

TAURO, J.

This court ACCEPTS and ADOPTS the May 10, 2013, Report and Recommendation [#33] of Chief Magistrate Judge Sorokin. For the reasons set forth in the Report and Recommendation, this court hereby orders that:

1. Respondent's Motion to Dismiss [#22] is DENIED.
2. Petitioner is granted leave to delete the unexhausted claim ("Ground Two").
3. Petitioner shall file a brief on the merits of his exhausted claim ("Ground One") by July 5, 2013.
4. Respondent shall file a responsive brief by August 5, 2013.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge