UNITED STATES OF AMERICA UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN NORTHERN DIVISION

	J	ON	NΑΤ	HAN	USH	ER.
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	Petitioner,		Case No. 2:14-cv-163
v.			Honorable R. Allan Edgar
THOMAS MACKIE	,		
	Respondent.	/	
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ORDER

In accordance with the Opinion issued this day:

IT IS ORDERED that Petitioner's proposed pleadings (dockets ## 16-1 through 16-8) are accepted for filing.

IT IS FURTHER ORDERED that Petitioner's motion to amend (dockets #16 and 16-1) to assert claims of actual innocence and equitable tolling of the statute of limitations is GRANTED.

IT IS FURTHER ORDERED that Petitioner's motion for equitable tolling of the statute of limitations (docket #16-2) is **GRANTED** and the petition is deemed timely filed.

IT IS FURTHER ORDERED that the Report and Recommendation (docket #12) to dismiss the petition as time-barred is **REJECTED**.

IT IS FURTHER ORDERED that Petitioner's motion for appointment of counsel (docket #16-4) is **DENIED**.

IT IS FURTHER ORDERED that Petitioner's motion for a stay of the proceedings (docket #7) is GRANTED.

IT IS FURTHER ORDERED that Petitioner shall have thirty (30) days from the

date of this order in which to file a motion for relief from judgment in the Wayne County Circuit

Court setting forth any unexhausted claims that he intends to pursue in his habeas petition.

IT IS FURTHER ORDERED that Petitioner's action is hereby stayed until

Petitioner files a motion to amend his petition to include any subsequently exhausted claims. Such

motion must be filed not later than 30 days after a final decision by the Michigan Supreme Court on

Petitioner's unexhausted claims and shall include a description of the newly exhausted claims and

the dates and substance of decision at each step of state-court review.

IT IS FURTHER ORDERED that if Petitioner fails to comply with the deadlines

imposed in this order, the Court may dismiss the petition.

IT IS FURTHER ORDERED that Petitioner shall advise the Court of any change

of address occurring during the pendency of the stay.

IT IS FURTHER ORDERED that this case shall be administratively closed until

such time as Petitioner files a motion to amend his petition in accordance with the procedures set

forth in this order.

Dated: 11/6/2014

/s/ R. Allan Edgar

R. ALLAN EDGAR

UNITED STATES DISTRICT JUDGE

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