

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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|--------------------------------------|---|-------------------------------------|
| DALE McKENZIE, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | Case no. 4:10cv01494 AGF/TCM |
| |) | |
| TROY STEELE and CHRIS KOSTER, |) | |
| |) | |
| Respondents. |) | |

MEMORANDUM

This matter is before the Court on review of Respondent's Response to Court Order ("response") [Doc. 33].

This Court recently directed Respondents to file a status report within five days of the resolution of Petitioner's Georgia habeas proceeding. (See Order, dated Apr. 9, 2013 [Doc. 32].) In that order, this Court also vacated the stay of this proceeding effective May 14, 2013.

By their response, Respondents report that Petitioner's habeas proceeding in Georgia was resolved on April 29, 2013, with the Georgia Supreme Court's denial of Petitioner's application for a certificate of probable cause to appeal. Respondents suggest that "[u]nder these circumstances, the Court should dissolve the stay of proceedings."

To clarify the record, the stay of these proceedings is vacated as of May 14, 2013.

SO ORDERED.

/s/ Thomas C. Mummert, III
 THOMAS C. MUMMERT, III
 UNITED STATES MAGISTRATE JUDGE

Dated this 10th day of May, 2013.