

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WILLIAM D. KINSER JR.,	)	8:14CV187
	)	
Petitioner,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
DIANE SABATKA-RINE,	)	
	)	
Respondent.	)	

This matter is before the court on Petitioner’s Motion to Stay (Filing No. [3](#)), which was filed in conjunction with his Petition for Writ of Habeas Corpus (Filing No. [1](#)). Petitioner asked the court to stay and abey these proceedings “until such time as the State appellate process has concluded.” (Filing No. [3](#) at [CM/ECF p. 2.](#)) At the time Petitioner filed his habeas corpus petition in this court, the Nebraska Supreme Court had not yet ruled on his petition for further review following the state district court’s denial of postconviction relief.

The state court records filed by Respondent on October 27, 2014, reflect that the Nebraska Supreme Court denied the petition for further review on June 25, 2014, two days after Petitioner filed his habeas corpus petition in this court. (See Filing No. [15-2](#) at [CM/ECF p. 2.](#)) Accordingly, the court will deny Petitioner’s Motion to Stay as moot.

IT IS THEREFORE ORDERED that: Petitioner’s Motion to Stay (Filing No. [3](#)) is denied as moot. Petitioner’s habeas corpus petition remains pending and the court will address it in its normal course of business.

DATED this 4<sup>th</sup> day of March, 2015.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge

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