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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID BOLLINGER,)
)
Petitioner,)
)
vs.)
)
RENEE BAKER, *et al.*,)
)
Respondents.)
/

2:98-cv-1263-RLH-PAL
ORDER

This capital habeas corpus action was stayed, upon a stipulation of the parties, in an order entered October 13, 2005 (ECF No. 130), pending the petitioner’s exhaustion of claims in state court.

On February 16, 2012, the petitioner, David Bollinger, filed a motion to lift the stay (ECF No. 151). In that motion, Bollinger states that the state-court proceedings have concluded. Respondents did not respond to that motion. The court will grant Bollinger’s motion to lift the stay.

The court will set a status conference to hear from counsel with respect to a schedule for anticipated further proceedings in this case.

The court is informed that Renee Baker is now the warden of Ely State Prison, the prison where Bollinger is incarcerated. Therefore, pursuant to Federal Rule of Civil Procedure 25(d), Renee Baker is substituted for her predecessor, E.K. McDaniel, as the respondent warden. Additionally, the court is informed that the Attorney General of the State of Nevada is Catherine

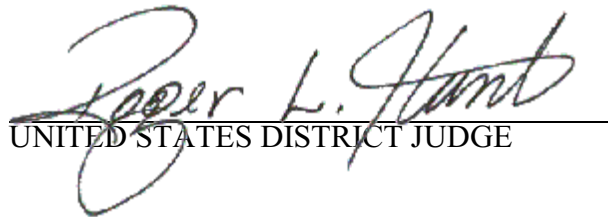
1 Cortez Masto. Therefore, pursuant to Federal Rule of Civil Procedure 25(d), Catherine Cortez
2 Masto is substituted for Frankie Sue Del Papa as the respondent attorney general.

3 **IT IS THEREFORE ORDERED** that petitioner's Motion to Vacate Stay and Reopen
4 Capital Habeas Corpus Proceeding (ECF No. 151) is **GRANTED**. The stay of this action is lifted.

5 **IT IS FURTHER ORDERED** that a telephonic status conference is set for
6 **April 3, 2012, at 9:00 a.m.**, to hear from counsel with respect to a schedule for further proceedings
7 in this action. At the time set for the conference, to join the conference, counsel shall call
8 702-868-4908, and use the code 123456. If there is any question about this procedure, counsel may
9 call Kandy Capozzi, at 702-464-5432, in advance of the conference.

10 **IT IS THEREFORE ORDERED** that the Clerk of the Court shall substitute
11 Renee Baker for E.K. McDaniel, on the docket, as the respondent warden; shall substitute Catherine
12 Cortez Masto for Frankie Sue Del Papa, on the docket, as the respondent attorney general; and shall
13 update the caption of the action to reflect these changes.

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15 Dated this ____ 12th day of March, 2012.

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18 UNITED STATES DISTRICT JUDGE
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