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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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9 RONALD ROSS,

10           Petitioner,

11 vs.

12 DWIGHT NEVEN, et al.,

13           Respondents.

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Case No. 2:13-cv-01562-JCM-CWH

**ORDER**

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The court determined that petitioner had not exhausted all of his grounds for relief in state court. ECF No. 47. Before the court are petitioner's motion for stay and abeyance (ECF No. 48), respondents' opposition (ECF No. 52), and petitioner's reply (ECF No. 55). Petitioner must show that he has "good cause for his failure to exhaust, his unexhausted claims are potentially meritorious, and there is no indication that the petitioner engaged in intentionally dilatory litigation tactics." Rhines v. Weber, 544 U.S. 269, 278 (2005). The court finds that petitioner has met this standard, and the court grants petitioner's motion.

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IT IS THEREFORE ORDERED that petitioner's motion for stay and abeyance (ECF No. 48) is **GRANTED**.

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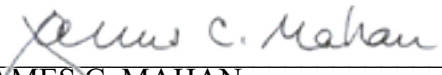
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IT IS FURTHER ORDERED that this action is **STAYED** pending exhaustion of the unexhausted claims. Petitioner shall return to this court with a motion to reopen within forty-five (45) days of issuance of the remittitur by the Nevada Supreme Court at the conclusion of the state court proceedings. Further, petitioner or respondents otherwise may move to reopen the action and seek any relief appropriate under the circumstances.

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IT FURTHER IS ORDERED that the clerk of court shall administratively close this action until such time as the court grants a motion to reopen the action.

DATED: March 29, 2017.

  
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JAMES C. MAHAN  
United States District Judge