

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 DUSHON NICHALOS GREEN,  
4 Petitioner,  
5 v.  
6 TIM GARRETT, et al.,  
7 Respondents.

Case No. 2:14-cv-01388-APG-NJK

**Order Dismissing Ground 3**


[ECF No. 113]

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9 The counseled habeas matter is before the Court on Petitioner Dushon Nicholas Green’s  
10 notice of formal declaration of abandonment of ground 3 of his Second-Amended Petition. ECF  
11 No. 113. On April 3, 2024, I determined that ground 3 was unexhausted and instructed Green to  
12 decide how he wished to proceed. ECF No. 110. Green has timely complied.

13 I THEREFORE ORDER that ground 3 is dismissed from Petitioner Dushon Nicholas  
14 Green’s Second-Amended Petition.

15 I FURTHER ORDER that the respondents have up to and including July 12, 2024, in  
16 which to file an answer to the remaining grounds for relief. Green will then have 30 days from  
17 the date of service of the respondents’ answer to file a reply.

18 Dated: May 13, 2024

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20 ANDREW P. GORDON  
21 UNITED STATES DISTRICT JUDGE  
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