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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 LAFAYETTE D. HOLMES, JR.,

12 Petitioner,

13 v.

14 ATTORNEY GENERAL OF THE STATE
15 OF NEVADA et al

16 Respondents.

Case No. 2:17-cv-01980-RFB-EJY

ORDER

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18 Petitioner has filed a motion for stay and abeyance (ECF No. 34). Respondents do not
19 oppose the motion (ECF No. 36). Good cause appearing;

20 **IT IS THEREFORE ORDERED** that Petitioner's motion for stay and abeyance (ECF No.
21 34) is **GRANTED**.

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

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1 IT FURTHER IS ORDERED that the Clerk of the Court shall administratively close this
2 action until such time as the Court grants a motion to reopen the action.

3 DATED: November 5, 2019.

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5 **RICHARD F. BOULWARE, II**
6 **United States District Judge**