

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TULIO F. PATINO,)
)
 Petitioner,)
)
 vs.)
)
 JACK PALMER, *et al.*,)
)
 Respondents.)
)

3:09-cv-0336-RCJ-RAM

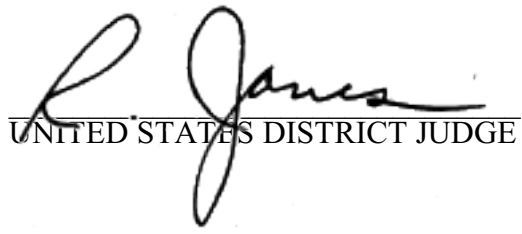
ORDER

Tulio Patino, a Nevada prisoner represented by counsel, has filed a Motion for Partial Dismissal (docket #25) seeking dismissal without prejudice of his unexhausted second ground for relief. Respondents have not opposed this motion. Good cause appear,

IT IS THEREFORE ORDERED that petitioner's motion (docket #25) is **granted**. Ground two of the petition is **dismissed without prejudice**.

IT IS FURTHER ORDERED that respondents shall have thirty (30) days to file their answer to the remaining grounds for relief. Thereafter, petitioner shall have thirty (30) days to reply.

DATED: This 26th day of October, 2010.


UNITED STATES DISTRICT JUDGE