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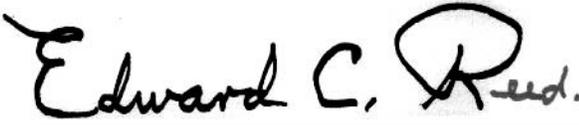
IT IS THEREFORE ORDERED that the Motion to Dismiss (ECF No. 9) is **GRANTED.**

IT IS FURTHER ORDERED that the Clerk shall detach and file the Petitioner's Declaration of Election to Abandon [sic] Claims" attached to the Reply to Order (ECF No. 29).

IT IS FURTHER ORDERED that grounds 2 and 3(b) of the petition are hereby dismissed with prejudice.

IT IS FURTHER ORDERED that respondents shall have 30 days to file their Answer to the remaining claims for relief. Thereafter, petitioner shall have 30 days to file his reply.

Dated this 18th day of April, 2011.


UNITED STATES DISTRICT JUDGE