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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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TERRY D. DIXON,

Petitioner,

v.

RENEE BAKER, et al.,

Respondents.

Case No. 3:13-cv-00248-RCJ-WGC

ORDER

On July 9, 2014, this court dismissed Terry D. Dixon's *pro se* § 2254 habeas corpus petition without prejudice for failure to exhaust (ECF No. 19). In that same order, the court also denied Dixon's motion for stay and abeyance. Judgment was entered (ECF No. 20).

Dixon filed a notice of appeal (ECF No. 21). The Ninth Circuit Court of Appeals appointed counsel (*see* ECF No. 30). On February 2, 2017, the court of appeals reversed and remanded with instructions that this court grant Dixon's motion for a stay and abeyance while he pursues his unexhausted claims in state court (ECF No. 34).

**IT IS THEREFORE ORDERED** that petitioner's motion for stay and abeyance (ECF No. 10) is **GRANTED**.

**IT IS FURTHER ORDERED** that this action is **STAYED** pending final resolution of petitioner's state-court proceedings.


**IT IS FURTHER ORDERED** that the grant of a stay is conditioned upon petitioner returning to federal court with a motion to reopen the case within **forty-five (45) days** of

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the issuance of the remittitur by the Supreme Court of Nevada at the conclusion of the state-court proceedings.

**IT IS FURTHER ORDERED** that the Clerk **SHALL ADMINISTRATIVELY CLOSE** this action, until such time as the court grants a motion to reopen the matter.

DATED: ~~18~~  
19 October 2017.

  
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ROBERT C. JONES  
UNITED STATES DISTRICT JUDGE