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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

MIGUEL CASILLAS-GUTIERREZ,

Petitioner,

v.

ROBERT LEGRAND, et al.,

Respondents.

Case No. 3:13-cv-00448-MMD-WGC

ORDER

This represented habeas petition comes before the Court on petitioner's motion to reopen for the purposes of voluntarily dismissing the case.

On March 25, 2015, the Court granted the petitioner's motion for a stay and abeyance after finding the petition contained two unexhausted claims. Petitioner thereafter returned to state court and raised the two unexhausted claims in a state habeas petition. The state court, after finding that a *Brady* violation had occurred, granted petitioner relief. (ECF No. 39-2.) The State appealed, but the parties later stipulated to dismissing both the appeal and the indictment. (ECF Nos. 39-3, 39-4, 39-5.) The Nevada Supreme Court dismissed the appeal, and the state trial court dismissed the indictment. (ECF Nos. 39-6, 39-7.) As the petitioner's underlying criminal case is now over, petitioner has moved to reopen this action for the sole purpose of voluntarily dismissing the petition. (ECF No. 38.) The petitioner's requests will be granted.

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It is therefore ordered that petitioner's motion to reopen (ECF No. 38) is hereby granted.

It is further ordered that, pursuant to petitioner's notice of voluntary dismissal pursuant to Rule 41(a)(1)(A)(i) (ECF No. 40), this action is hereby dismissed.

DATED THIS 13th day of April 2018.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE