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28UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

MELONIE LYNN SHEPPARD,

Petitioner,

v.

SHERYL FOSTER, et al.,

Respondents.

Case No. 3:14-cv-00059-MMD-VPC

ORDER

This habeas petition is before the Court pursuant to petitioner Melonie Lynn Sheppard's counseled motion to reopen the case and motion to voluntarily dismiss the petition. (ECF Nos. 47, 48.)

On March 1, 2016, the Court granted Sheppard's motion to stay and abey while she litigated her pending state postconviction petition. (ECF No. 39.) On April 12, 2017, the state district court granted her state postconviction habeas petition and ordered a new trial (see ECF No. 48). Sheppard entered into a negotiated guilty plea in exchange for a reduced sentence of twenty to fifty years. As part of the new plea agreement, Sheppard agreed to voluntarily withdraw her federal habeas petition. Attached to her motion is Sheppard's affidavit which also reflects that she wishes to voluntarily dismiss her federal petition and that she understands that such dismissal with prejudice precludes her from returning to federal court to present further claims related to this judgment of conviction (ECF No. 48-1).


Good cause appearing, it is ordered that petitioner's motion to reopen the case (ECF No. 47) is granted. The Clerk will reopen the case.

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It is further ordered that petitioner's motion to voluntarily dismiss the petition (ECF No. 48) is granted. This federal habeas petition is dismissed with prejudice.

It is further ordered that Clerk enter judgment accordingly and close this case.

DATED THIS 21st day of June 2017.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE