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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

PHILIP STOTT,  
  
v.  
HAROLD WICKHAM, *et al.*,  
  
Petitioner,  
  
Respondents.

Case No. 3:17-cv-00081-MMD-CBC

ORDER


This is a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 filed by a Nevada state prisoner. On August 8, 2018, the Court found that several of petitioner’s claims are unexhausted and the petition is therefore mixed. (ECF No. 26.) The Court directed petitioner to either: (1) move to dismiss his unexhausted claims; (2) move to dismiss the entire petition without prejudice in order to return to state court to exhaust his unexhausted claims; or (3) file a motion for other appropriate relief, including a motion for a stay and abeyance. (*Id.*)

On August 16, 2018, petitioner filed a motion to dismiss the entire petition without prejudice in order to return to state court to exhaust his unexhausted claims. (ECF No. 27.) Respondents do not oppose the motion. (ECF No. 28.)

It is therefore ordered that petitioner’s unopposed motion to dismiss the petition in this action without prejudice (ECF No. 27) is granted.

It is further ordered that the Clerk of Court shall enter final judgment accordingly and close this case.

DATED THIS 10<sup>th</sup> day of September, 2018.

  
MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE