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★ JUL 22 2011 ★

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

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STEPHEN LOCURTO,

ORDER

Petitioner,

10-CV-4589 (NGG)

-against-

UNITED STATES OF AMERICA,

Respondent.

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NICHOLAS G. GARAUFIS, United States District Judge.

Petitioner's motion to stay proceedings relating to his petition under 28 U.S.C. § 2255 pending the Supreme Court's decision in Lafler v. Cooper, No. 10-209 (U.S. Jan. 7, 2011) is GRANTED. (See Docket Entry # 7.) The Government shall file a motion proposing a briefing schedule no later than fourteen days after the Supreme Court issues its decision in Lafler.

The Clerk of Court is directed to choose a United States Magistrate Judge to decide non-dispositive matters in this case by random selection. Petitioner's motion to appoint counsel (Docket Entry # 4) is referred to the Magistrate Judge for decision pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a). The Magistrate Judge shall decide whether or not to stay Petitioner's motion to appoint counsel until after the Supreme Court's decision in Lafler.

SO ORDERED.

s/Nicholas G. Garaufis

Dated: Brooklyn, New York
July 20, 2011

NICHOLAS G. GARAUFIS
United States District Judge