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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RAPHAEL JACKSON,
Petitioner,

MOTION REQUESTING
STAY OF PROCEEDING

-against-

MICHAEL CAPRA, Superintendent,
Respondent.
-----X

22 Civ. 3357 (LGS)(SN)

By August 3, 2022, the Respondent shall file a
response, including whether it consents to
the stay. So Ordered.

Dated: August 1, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

PLEASE TAKE NOTICE that I, Raphael Jackson, is the
Petitioner in the above captioned proceeding. In pursuant to
the Local Rules of this Court I am respectfully submitting
this Motion Requesting for the proceedings before the Court be
Held in Abeyance so that Petitioner may have the opportunity
to fully litigate claim(s) of ineffective assistance of Trial
Counsel in New York State Supreme Court. Such claim(s) are
unexhausted in state court where remedy is still available to
Petitioner.

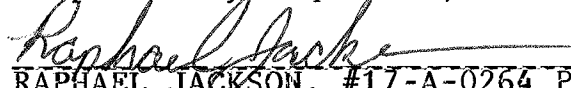
Petitioner submitted this petition under 28 U.S.C. §2254
dated April 12, 2022, where Petitioner affirms the filing of
other "... motions concerning this judgment of conviction in
any state court...", specifically C.P.L. §440.10 dated
February 7, 2022. This C.P.L. §440.10 Motion is still pending
in state court. A response by the People and reply to the
response has all been file before the court.

Petitioner requests the proceeding to be held in abeyance until the pending motion is resolved completely, and should an unfavorable outcome result from the motion, Petitioner be allowed to amend the original petition that is before the court.

Petitioner would like to point out the fact of no answer as of yet has been filed by the Respondent, and not other request regarding this matter has been requested.

Petitioner respectfully requests for the Court to Grant this request so that all claim(s) exhausted in state court can be before this Court at the same time. Petitioner prays for the relief requested and any other further relief the Court may deem just and proper.

Respectfully Requested,


RAPHAEL JACKSON, #17-A-0264 Pro Se
Sing Sing Correctional Facility
354 Hunter Street
Ossining, New York 10562

CC: FILE / RJ
DATED: JULY 11, 2022
WESTCHESTER, NEW YORK

Mr. Raphael Jackson #17-A-0264
Sing Sing Correctional Facility
354 Hunter Street
Ossining, New York 10562

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