IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

RANDY LAMAR HALL,   )
)
                    Petitioner,   )
)
v.   )   Case No. CIV-15-203-M
)
JOE E. ALLBAUGH, Interim Director,   )
)
                    Respondent.   )

ORDER

On February 18, 2016, United States Magistrate Judge Charles B. Goodwin issued a

Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ

of habeas corpus. The Magistrate Judge recommended that respondent's Motion to Dismiss for

Failure to Exhaust State-Court Remedies be denied, petitioner's unexhausted claims within his

petition, Grounds 4, 5, 6, and Habeas Ground 7, be deleted for failure to exhaust, and that

respondent should file an answer, motion, or other response to petitioner's remaining habeas

claims (Grounds 1, 2, 3, and Oklahoma Court of Criminal Appeals ("OCCA") Ground 7). The

parties were advised of their right to file an objection to the Report and Recommendation by

March 3, 2016. Petitioner filed his objections on March 3, 2016[1], and respondent filed his

response to petitioner's objections on March 21, 2016[2].

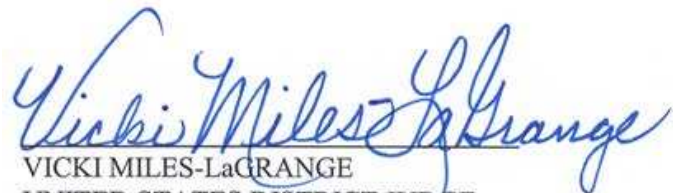Having carefully reviewed this matter de novo, the Court:

> 1. ADOPTS the Report and Recommendation [docket no. 14] issued on
>   February 18, 2016;

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[1] Along with his objections, petitioner filed his Application for Post-Conviction Relief in state-court and affidavits of Aletha Hall and Aaron D. Johnson.

[2] Respondent was granted leave to respond to petitioner's objections on or before March 21, 2016.

2. DENIES respondent's Motion to Dismiss for Failure to Exhaust State Court Remedies [docket no. 11];

3. GRANTS petitioner's request to delete his unexhausted habeas claims, Grounds 4, 5, 6, and Habeas Ground 7;

4. ORDERS respondent to respond to petitioner's remaining habeas claims Grounds 1, 2, 3, and OCCA Ground 7 on or before April 20, 2016; and

5. RECOMMITS this matter to the Magistrate Judge for further proceedings.

IT IS SO ORDERED this 31st day of March, 2016.

VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE