



1 To ensure a complete record, the Court will direct the Clerk's  
2 Office to file Mr. Aguierre-Ganceda's civil habeas petition as a  
3 Notice of Duplicative Filing in the associated criminal case.<sup>1</sup>

4 Accordingly, **IT IS HEREBY ORDERED:**

5 1. The Clerk's Office is directed to file Mr. Aguierre-  
6 Ganceda's Petition for Writ of Habeas Corpus, **ECF No. 1 in**  
7 **4:17-CV-05094-EFS**, as a Notice of Duplicative Filing in his  
8 criminal case, **2:03-CR-06016-EFS-1**, nunc pro tunc, as of  
9 **July 3, 2017.**

10 2. **Case No. 4:17-CV-05094-EFS is DISMISSED.**

11 3. All pending motions in **4:17-CV-05094-EFS** are **DENIED AS**  
12 **MOOT.**

13 4. All hearings and other deadlines in **4:17-CV-05094-EFS** are  
14 **STRICKEN.**

15 5. The Clerk's Office is directed to **CLOSE** Case No. **4:17-CV-**  
16 **05094-EFS.**

17 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this  
18 Order and provide copies to Mr. Aguierre-Ganceda and all counsel.

19 **DATED** this 23<sup>rd</sup> day of August 2017.

20 \_\_\_\_\_  
21 s/Edward F. Shea  
22 EDWARD F. SHEA  
23 Senior United States District Judge

24 <sup>1</sup> Mr. Aguierre-Ganceda's latest § 2255 motion already has an associated  
25 civil case that was opened for administrative purposes: Case No. 4:17-CV-  
26 05092-EFS.