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WESTERN DISTRICT OF WASHINGTON
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11-CV-00265-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID MUNGAI NJENGA,

Petitioner,

v.

NATHALIE ASHER, et al.,

Respondents.

Case No. C11-265-JLR

ORDER GRANTING MOTION
FOR STAY OF BRIEFING
UNTIL ISSUANCE OF
MANDATE IN *DIOUF V.*
NAPOLITANO

The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, respondents' Motion for Stay of Briefing Pending Issuance of Mandate in *Diouf v. Napolitano*, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and ~~any~~ ^{the} objections ^{thereto} ~~or responses to that~~, and the remaining record, finds and Orders as follows:

1. The Court adopts the Report and Recommendation.
2. Respondents' Motion for Stay of Briefing Pending Issuance of Mandate in *Diouf v. Napolitano*, Dkt. No. 13, is GRANTED. Respondents shall file their Return and Status Report no later than ~~May 30, 2011~~ ^{45 days after the Ninth Circuit issues its mandate in *Diouf v. Napolitano*}.

3. The Clerk shall remove any pending motions from the motion calendar until further notice by the Court.

ORDER GRANTING MOTION FOR STAY OF BRIEFING UNTIL
ISSUANCE OF MANDATE IN *DIOUF V. NAPOLITANO* - 1


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- 1 4. Respondents shall notify the Court once the mandate in *Diouf* issues.
- 2 5. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

3 DATED this 22ND day of April, 2011.

4 
5 JAMES L. ROBART
6 United States District Judge