

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VINCENT PAUL MELENDREZ,

Petitioner,

V.

MARGARET GILBERT,

### Respondent.

CASE NO. C17-984 RAJ-BAT

**ORDER GRANTING  
PETITIONER'S UNOPPOSED  
MOTION TO STAY**

*Pro se* petitioner Vincent Paul Melendrez, proceeding *in forma pauperis*, moves to stay and abey his federal habeas proceedings based on his attempt to exhaust state-court remedies in a soon-to-be filed state personal restraint petition (“PRP”). Dkt. 19. Respondent does not oppose petitioner’s motion to stay. Dkt. 20.

The Court finds that petitioner has demonstrated good cause for staying the present matter as a protective petition contemplated in *Pace v. DiGuglielmo*, 544 U.S. 408, 416 (2005). The Court therefore **GRANTS** petitioner's unopposed motion to stay the proceedings until his state-court PRP proceeding is completely adjudicated. Dkt. 19. **The Court directs respondent and petitioner each to file a status report with Magistrate Judge Brian A. Tsuchida every one hundred twenty (120) days, beginning one hundred twenty (120) days from the date of this Order.** All pending deadlines are stricken, and respondent need not file an Answer to the

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federal habeas petition until forty-five (45) days after the stay of proceedings is lifted.

The Clerk is directed to send copies of this Order to petitioner and to the Honorable Richard A. Jones.

DATED this 12th day of October, 2017.

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BRIAN A. TSUCHIDA  
United States Magistrate Judge