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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 JEREMIAH LANCE WINCHESTER,

9 Petitioner,

10 v.

11 OBENLAND, et al.,

12 Respondents.

Case No. C17-1136-RSL-JPD

ORDER GRANTING AMENDED  
MOTION TO STAY AND ABEY  
FEDERAL PROCEEDINGS

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14 This is a 28 U.S.C. § 2254 habeas action. Petitioner moves to stay this action pending  
15 resolution of his pending state court personal restraint petition. Dkt. 15. Respondent does not  
16 object to the motion. Dkt. 21. Having reviewed the parties' submissions, the governing law, and  
17 the balance of the record, the Court finds and ORDERS:


18 (1) Petitioner's amended motion to stay and abey, Dkt. 15, is GRANTED. The  
19 pending state court proceedings may be relevant to the issues of timeliness under the federal  
20 statute of limitations, exhaustion of state remedies, and the merits of petitioner's federal habeas  
21 corpus petition. Therefore, the state court proceedings must be resolved before the instant  
22 action. In addition, neither party will be prejudiced by the stay.

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ORDER GRANTING AMENDED  
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FEDERAL PROCEEDINGS - 1

1 (2) Both petitioner and respondent are directed to notify this Court within 30 days  
2 after final resolution of petitioner's state post-conviction proceedings. At that time, the Court  
3 will lift the stay on the instant habeas action. The parties shall also report to this Court every 120  
4 days on the status of petitioner's state post-conviction proceedings.

5 (3) The Clerk is directed to send copies of this order to the parties and to the  
6 Honorable Robert S. Lasnik.

7 Dated this 3rd day of January, 2018.

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10 JAMES P. DONOHUE  
11 Chief United States Magistrate Judge  
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