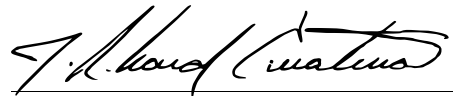


1 stayed, the Court must also “be mindful that AEDPA aims to encourage the finality of sentences
2 and to encourage petitioners to exhaust their claims in state court before filing in federal court.”
3 *Wooten v. Kirkland*, 540 F.3d 1019, 1024 (9th Cir. 2008), *cert. denied*, 129 S.Ct. 2771 (2009)
4 (holding that petitioner’s “impression” that defense counsel had exhausted all of the issues in
5 state court did not fulfill the requirement to show “good cause”).

6 Both parties agree this action should be stayed. The Court grants petitioner’s uncontested
7 motion. The matter is stayed until May 9, 2014. Petitioner will file a report and, if needed, a
8 motion to extend the stay on or before April 30, 2014 -- ten days before the stay ends. Petitioner
9 will inform the Court of the status of his state proceedings. Petitioner’s report will include the
10 state court cause number. Further, if the state court dismisses the petition or terminates review,
11 petitioner will inform the Court and file a motion to lift the stay within 30 days of the state court
12 taking action. Petitioner’s failure to file a proper report or inform the Court of the termination of
13 state review will result in the Court issuing a report and recommendation that this petition be
14 dismissed.

15 The Clerk’s office is directed to remove ECF motions 10 and 18 from the Court’s
16 calendar.

17 Dated this 6th day of November, 2013.

18 

19 J. Richard Creatura
20 United States Magistrate Judge