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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON	
9	AT TACOMA	
10	TOMMY LEE CROW JR,	
11	Petitioner,	CASE NO. 3:16-cv-05277-RJB-JRC
12	v.	ORDER CONTINUING STAY
13	RON HAYES,	
14	Respondent.	
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16	Petitioner filed a petition for a writ of habeas corpus challenging his custody under a state	
17	court judgment and sentence. Dkt. 10.	
18	Petitioner was resentenced on April 21, 2016, and because the appeal of his new	
19	judgment and sentence was pending in the state courts, petitioner requested that the Court stay	
20	his case. Dkt. 12. The Court granted petitioner's motion, stayed his case until thirty days after the	
21	Washington courts ruled on his appeal, and directed petitioner to file a status report every 90	
	Washington courts ruled on his appeal, and directed	petitioner to me a status report every 30
22	Washington courts ruled on his appeal, and directed days. Petitioner has consistently done so. <i>See</i> Dkts.	
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the Court that, though his direct appeal has terminated, he is still seeking review of the new
judgment and sentence by filing a personal restraint petition. *See* Dkt. 28.

In accordance with the Court's order, petitioner filed a status update on May 8, 2018, explaining that his personal restraint petition was still pending. Dkt. 33. However, he filed a second status update on June 21, 2018, explaining that he "already tried to file a continu[a]nce but was never informed as to whether it was accepted or not." Dkt. 34. Therefore, the Court clarifies its initial order staying the case as follows:

- This matter continues to be stayed until 30 days after the Washington state court has ruled on petitioner's challenge to his judgment and sentence.
- 2) Petitioner shall continue to file a status report every 90 days. Petitioner's report must include the state court cause number and current status of his state proceedings.Petitioner's failure to file a proper report may result in the Court issuing a report and recommendation that this petition be dismissed for failure to comply with a Court order.
 - The Court will acknowledge petitioner's status updates and will inform petitioner of his next deadline.
 - 4) Within 30 days of the Washington court's ruling on petitioner's challenge to his judgment and sentence, either party may file a motion to lift the stay.
 - 5) The Clerk is directed to note a due date on the Court's calendar 90 days from the entry of this order and strike the June 1, 2018 deadline.

Dated this 22nd day of June, 2018.

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J. Richard Creatura United States Magistrate Judge