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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 JOHN ANTHONY LEWIS,

11 Petitioner,

12 v.

13 CHARLES CALLAHAN,

14 Respondent.

CASE NO. 3:16-cv-05562-RBL-JRC

ORDER LIFTING STAY

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16 The District Court has referred this action to United States Magistrate Judge J. Richard  
17 Creatura. Petitioner John Anthony Lewis filed a federal habeas petition, pursuant to 28 U.S.C. §  
18 2254, seeking relief from a state court conviction. Petitioner filed his petition in June of 2016.  
19 Dkt. 1. Pursuant to court order, he filed an amended petition in August of 2016 (Dkt. 4) and a  
20 second amended petition in November of 2016 (Dkt. 6). The Court accepted his second amended  
21 petition and served it on respondent. Dkt. 9. Because petitioner is incarcerated out of state and  
22 his habeas focuses on potential future incarceration in Washington, the Washington Attorney  
23 General filed a motion to intervene as respondent (Dkt. 16), which the Court granted (Dkt. 21).

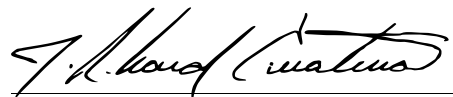
1 Intervenor filed an answer in February of 2017. Dkt. 20. Before that, petitioner filed a motion to  
2 stay his case in order to exhaust state court remedies. Dkt. 19. After receiving confirmation from  
3 both parties that petitioner had filed a personal restraint petition with the Washington courts  
4 (Dkts. 24, 25, 26), the Court granted the motion to stay, staying the case until February 28, 2018  
5 (Dkt. 27).

6 The parties have both filed motions to lift the stay, explaining that the Washington courts  
7 have now had an opportunity to examine petitioner's grounds at all levels of state review. Dkts.  
8 28, 30.

9 Therefore, it is ORDERED:

- 10 1) The parties' motions to lift the stay (Dkts. 28, 30) are granted.
- 11 2) The petition will be ready for consideration on March 16, 2018. The parties will have  
12 until that date to file supplemental briefing.
- 13 3) The Clerk is directed to provide a copy of this order to petitioner.

14 Dated this 20th day of February, 2018.

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16 J. Richard Creatura  
17 United States Magistrate Judge