

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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DAVID MARSHALL,

Petitioner,

v.

Case No. 13-C-0111

STATE OF WISCONSIN,

Respondent.

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**ORDER STAYING CASE**

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On January 30, 2013, David Marshall filed this petition pursuant to 28 U.S.C. § 2254, asserting that his state court conviction and sentence were imposed in violation of the Constitution. This Court screened the petition and allowed it to proceed. Respondent filed an answer, noting that one of Petitioner's claims had not been exhausted in the state courts. In response, the Petitioner filed a motion asking to stay this petition while he returns to state court to pursue his unexhausted claim.

The motion to stay is **GRANTED**. The case will be stayed pending exhaustion of the unexhausted claim. Petitioner is directed to alert the Court at such time as his claim has been exhausted or to file a status report with this Court on December 1, 2013, whichever comes first. The motion to grant the petition is **DENIED**. The answer was timely filed.

**SO ORDERED** this  3rd  day of June, 2013.

s/ William C. Griesbach   
William C. Griesbach, Chief Judge  
United States District Court