# UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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| GILBERTO DIAZ-SANCHEZ,<br>Petitioner,<br>v.<br>NEIL McDOWELL and JEFFREY BEARD,<br>Respondents. | Case No. 1:14-cv-01204-SMS HC<br><br>ORDER LIFTING STAY<br><br>Doc. 14 |

On August 27, 2014, the Court administratively stayed the petition, pursuant to *Kelly v. Small*, 315 F.3d 1063 (9th Cir. 2002) and *King v. Ryan*, 564 F.3d 1133 (9th Cir. 2009). The order directed Petitioner to file, within 30 days of the California Supreme Court's issuing a final order resolving all unexhausted claims, a motion to lift the stay and an amended petition setting forth all exhausted claims. On January 16, 2015, Petitioner filed a motion to lift stay (erroneously docketed as a motion *for* stay) and the first amended petition for writ of habeas corpus.

Accordingly, the Court hereby ORDERS that the stay of proceedings in this case be lifted. To enable the Court to screen the petition, Petitioner's counsel is directed to file a courtesy copy of the amended petition, including its exhibits, no later than thirty (30) days from the date of this order.

IT IS SO ORDERED.

Dated: **February 3, 2015**

**/s/ Sandra M. Snyder**
UNITED STATES MAGISTRATE JUDGE



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