

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

[NAME],

Petitioner,

-vs-

BETTY MITCHELL, Warden,

Respondent.

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Case No. C-X-XX-XXX

Chief Judge [NAME]

Magistrate Judge [NAME]

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**ORDER FOR STATUS REPORTS**

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On [DATE], this Court granted Petitioner's motion and ordered this case stayed and held in abeyance pending exhaustion in the state courts of Petitioner's claim that he is mentally retarded and consequently ineligible for the death penalty under *Atkins v. Virginia*, 536 U.S. 304 (2002). (Doc XXX).

As of the date of this Order, the Court has not received any written reports as to the status of the proceedings in the state court, although counsel has occasionally informally advised the Court of the status. To provide a formal record, it is hereby ORDERED that the Petitioner file a report in this case regarding the status of the state court proceedings not later than July 28, 2004, and at least quarterly thereafter.

July 20, 2004.

s/ [REDACTED]  
United States Magistrate Judge