UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

STANLEY W. MUNDY,

Petitioner,

v.

TEAUNA MIRANDA,

Respondent.

No. 2:25-cv-1182 AC P

ORDER AND
FINDINGS & RECOMMENDATIONS

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, paid the filing fee, and filed a motion for a stay and abeyance. ECF Nos. 6, 7. On October 9, 2025, the undersigned issued an order to show cause why this case should not be dismissed pursuant to Younger v. Harris, 401 U.S. 37 (1971). ECF No. 8. Petitioner was given thirty days from the date of service of the order to show cause why the petition should not be dismissed. Id. at 9. Petitioner was warned that failure to show cause would result in the recommendation for dismissal pursuant to Younger and that the motion for stay and abeyance be denied as moot. Id. Petitioner was also informed that he could alternatively seek voluntary dismissal of his petition pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and seek to refile after the statute of limitations clock has begun. Id.

The deadline to respond to the order to show cause has passed and petitioner has not filed a response or a motion to voluntarily dismiss his petition.

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Accordingly, **IT IS HEREBY ORDERED** that the Clerk of the Court should randomly assign a United States District Judge to this action.

Furthermore, **IT IS RECOMMENDED** that petitioner's application for a writ of habeas corpus be dismissed without prejudice, and the motion for stay and abeyance (ECF No. 7) be dismissed as moot, for all the reasons set forth in the Order at ECF No. 8 (incorporated here by reference).

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days after being served with these findings and recommendations, petitioner may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Petitioner is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

DATED: November 24, 2025

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE