

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Stanley W. Mundy v. Teauna Miranda

Mundy v. Miranda · No. 2:25-cv-1182 AC P · Decided November 25, 2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 STANLEY W. MUNDY, No. 2:25-cv-1182 AC P 12 Petitioner, 13 v.
ORDER AND FINDINGS & RECOMMENDATIONS 14 TEAUNA MIRANDA, 15 Respondent.
16 17 Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas 18
corpus pursuant to 28 U.S.C. § 2254, paid the filing fee, and filed a motion for a stay and 19
abeyance.

ECF Nos. 6, 7. On October 9, 2025, the undersigned issued an order to show cause 20 why this
case should not be dismissed pursuant to *Younger v. Harris*, 401 U.S. 37 (1971). ECF 21 No. 8.
Petitioner was given thirty days from the date of service of the order to show cause why 22 the
petition should not be dismissed. *Id.* at 9. Petitioner was warned that failure to show cause 23
would result in the recommendation for dismissal pursuant to *Younger* and that the motion for 24
stay and abeyance be denied as moot.

Id. Petitioner was also informed that he could alternatively 25 seek voluntary dismissal of his
petition pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) 26 and seek to refile after the
statute of limitations clock has begun. *Id.* 27 The deadline to respond to the order to show cause
has passed and petitioner has not filed 28 a response or a motion to voluntarily dismiss his
petition.

1 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court should randomly 2 || assign
a United States District Judge to this action. 3 Furthermore, IT IS RECOMMENDED that
petitioner’s application for a writ of habeas 4 | corpus be dismissed without prejudice, and the
motion for stay and abeyance (ECF No. 7) be 5 || dismissed as moot, for all the reasons set forth in
the Order at ECF No. 8 (incorporated here by 6 || reference).

7 These findings and recommendations are submitted to the United States District Judge 8 ||
assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 9 ||
after being served with these findings and recommendations, petitioner may file written 10 ||
objections with the court and serve a copy on all parties. Such a document should be captioned 11
|| “Objections to Magistrate Judge’s Findings and Recommendations.” Petitioner is advised that 12
| failure to file objections within the specified time may waive the right to appeal the District 13 ||
Court’s order.

Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). 14 | DATED: November 24, 2025 ~ 15 Chane
ALLISON CLAIRE 16 UNITED STATES MAGISTRATE JUDGE 17 18 19 20 21 22 23 24 25
26 27 28

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