## FOR PUBLICATION

## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUITÎ

RANDY JOSEPH MOORE, Petitioner-Appellant, v. JEFF PREMO, Superintendent of OSP, Respondent-Appellee. No. 04-15713 D.C. No. CV-01-01795-AJB/JMS District of Oregon, Portland ORDER

On Remand From The United States Supreme Court

Filed February 15, 2011

Before: Stephen Reinhardt, Marsha S. Berzon, and Jay S. Bybee, Circuit Judges.

## ORDER

As required by the Supreme Court in *Premo v. Moore*, dated January 19, 2011, the district court's order denying the writ of habeas corpus is **AFFIRMED**.