

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SHIRLEY REE SMITH, <i>Petitioner-Appellant,</i> v. JAVIER CAVAZOS,* Acting Warden, <i>Respondent-Appellee.</i>
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No. 04-55831
D.C. No.
CV-01-04484-ABC
Central District of
California,
Los Angeles
ORDER

On Remand From The United States Supreme Court

Filed February 3, 2012

Before: Harry Pregerson and William C. Canby, Jr., Circuit
Judges, and Edward C. Reed, Jr.,** Senior District Judge.

ORDER

In accordance with the opinion and judgment of the Supreme Court of the United States in *Cavazos v. Smith*, 132 S.Ct. 2 (2011), *pet. for rehearing denied*, 2012 WL 33757 (U.S. Jan. 9, 2012), the judgment of the district court denying Smith's petition for a writ of habeas corpus is

AFFIRMED.

*Javier Cavazos is substituted as respondent pursuant to Fed. R. App. P. 43(c)(2).

**The Honorable Edward C. Reed, Jr., Senior District Judge for the U.S. District Court for Nevada, sitting by designation.