

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 12-4003

THOMAS BARTON,
Petitioner - Appellant,

v.

WARDEN, SOUTHERN OHIO
CORRECTIONAL FACILITY,
Respondent - Appellee.

FILED
May 15, 2015
DEBORAH S. HUNT, Clerk

Before: MOORE, WHITE, and DONALD, Circuit Judges.

JUDGMENT

On Appeal from the United States District Court
for the Southern District of Ohio at Cincinnati.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district court is REVERSED, and Barton's petition for a writ of habeas corpus is CONDITIONALLY GRANTED, unless the State retries Barton within six months of the filing date of this court's opinion and judgment.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk