

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

ANDREW PASQUALE CHAFFER,  
*Petitioner-Appellant,*  
v.  
K. PROSPER; BILL LOCKYER,  
Attorney General,  
*Respondents-Appellees.*

No. 07-16853  
D.C. No.  
CV-06-00950-LKK  
Eastern District  
of California,  
Sacramento  
**ORDER  
PUBLISHING  
ORDER  
CERTIFYING  
QUESTIONS TO  
THE CALIFORNIA  
SUPREME COURT**

Filed September 9, 2008

Before: Diarmuid F. O’Scannlain and Barry G. Silverman,  
Circuit Judges, and James K. Singleton,\*  
Senior District Judge.

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**ORDER**

The Order Certifying Questions to the California Supreme Court, filed on September 2, 2008, is hereby published.

IT IS SO ORDERED.

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\*The Honorable James K. Singleton, United States District Judge for the District of Alaska, sitting by designation.

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