FILED

UNITED STATES COURT OF APPEALS

NOV 28 2012

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

ARMENIA LEVI CUDJO, Jr.,

Petitioner - Appellant,

v.

ROBERT L. AYERS, Jr., Warden, Warden, California State Prison at San Quentin,

Respondent - Appellee.

No. 08-99028

D.C. No. 2:99-cv-08089-JFW Central District of California, Los Angeles

ORDER

Before: KOZINSKI, Chief Judge, O'SCANNLAIN and N.R. SMITH, Circuit Judges.

Appellee's motion for a stay of the issuance of the mandate pending application for writ of certiorari is GRANTED. Fed. R. App. P. 41(b). The mandate is ordered stayed for ninety days pending the filing of a petition for writ of certiorari in the United States Supreme Court.