

**FOR PUBLICATION**

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

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RICHARD D. HURLES, <i>Petitioner-Appellant,</i>  v.  CHARLES L. RYAN*, <i>Respondent-Appellee.</i>	No. 08-99032  D.C. No. 2:00-cv-0118-RCB  ORDER
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Filed May 16, 2014

Before: Harry Pregerson, Dorothy W. Nelson,  
and Sandra S. Ikuta, Circuit Judges.

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**ORDER**

Petitioner's motion to remand pursuant to *Martinez v. Ryan*, 132 S.Ct. 1309 (2012), filed February 11, 2013, is **GRANTED** in part and **DENIED** in part as discussed in the opinion filed together with this order.

**IT IS SO ORDERED.**

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\* Charles L. Ryan is substituted for his predecessor, Dora B. Schriro, as Director for the Arizona Department of Corrections. Fed. R. App. P. 43(c)(2).