

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MATTHEW CATE,

Petitioner,

v.

UNITED STATES DISTRICT
COURT FOR THE NORTHERN
DISTRICT OF CALIFORNIA, SAN JOSE,
Respondent,

MICHAEL ANGELO MORALES and
ALBERT GREENWOOD BROWN,
Real Parties in Interest.

No. 10-72977

ORDER

Filed September 29, 2010

Before: Andrew J. Kleinfeld, M. Margaret McKeown, and
Raymond C. Fisher, Circuit Judges.

ORDER

The State's Motion for Voluntary Dismissal of Petition for
Writ of Mandamus is granted.