

**FOR PUBLICATION**

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

JOSEPH P. SHELTON,  
*Petitioner,*

v.

JOHN C. MARSHALL; ATTORNEY  
GENERAL OF THE STATE OF  
CALIFORNIA,  
*Respondents-Appellees.*

No. 13-15707

D.C. No.  
4:10-cv-01100-  
PJH

ORDER

Filed November 23, 2015

Before: Sidney R. Thomas, Chief Judge and Stephen  
Reinhardt and Morgan Christen, Circuit Judges.

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**ORDER**

The unopposed petition for rehearing in this case is granted. The final sentence of the opinion dated August 7, 2015 is amended to read as follows: “The district court is directed to issue a writ ordering the State to retry Shelton for the murder of Thorpe within a reasonable time or to take such other action as may be consistent with this opinion and with federal and state law. *See Lujan v. Garcia*, 734 F.3d 917, 934–95 (9th Cir. 2013).” The mandate will issue 7 days from the date of this order.