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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Debra Jean Milke,

No. CV-98-00060-PHX-RCB

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Petitioner,

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v.

**ORDER GRANTING
WRIT OF HABEAS CORPUS**

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Charles L. Ryan, et al.,

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Respondents.

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Pursuant to the mandate of the Court of Appeals for the Ninth Circuit in *Milke v. Ryan*, 711 F.3d 998 (9th Cir. 2013),

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IT IS HEREBY ORDERED that Petitioner's Petition for Writ of Habeas Corpus is **GRANTED**. Respondents shall release Petitioner Debra Jean Milke from custody unless the State of Arizona: (1) notifies this Court within 30 days of the filing date of this Order that it intends to retry Petitioner, and (2) actually commences Petitioner's retrial within 90 days of the filing date of this Order. The Clerk of Court shall enter judgment accordingly and terminate this matter.

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IT IS FURTHER ORDERED that the Clerk of Court shall expeditiously return the state court records received on August 3, 1999, and March 7, 2002 (Docs. 46 & 88) to the Clerk of the Arizona Supreme Court.

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DATED this 8th day of July, 2013.

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Robert C. Broomfield
Senior United States District Judge

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copies to all counsel of record