

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

11	WATSON ALLISON,	)	CASE NO. CV 92-06404 CAS
12	Petitioner,	)	<b>DEATH PENALTY CASE</b>
13	v.	)	JUDGMENT
14	VINCENT CULLEN, Warden	)	
15	of California State	)	
16	Prison at San Quentin,	)	
17	Respondent.	)	

IT IS HEREBY ADJUDGED that the petition for writ of habeas corpus by a person in state custody under a sentence of death is GRANTED IN PART AND DENIED IN PART.

For the reasons set forth in the Memorandum and Order, filed June 11, 2007, and the Final Memorandum and Order on Petitioner's Remaining Claims 1, 2A, 2B, 2H, 5, 11 ¶ 12, 15, and 31, filed concurrently herewith:

1. Insofar as it challenges petitioner's convictions for robbery and first degree felony murder of Leonard Wesley Polk in the case of People of the State of California v.

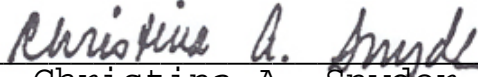
1 Watson Allison, Los Angeles County Superior Court Case No.  
2 A026128, the petition for writ of habeas corpus is DENIED.

3 2. Insofar as it challenges the special circumstances  
4 finding, that petitioner intentionally committed the  
5 murder of Polk while engaged in the commission of robbery,  
6 and the penalty phase verdict of death in the case of  
7 People of the State of California v. Watson Allison, Los  
8 Angeles County Superior Court Case No. A026128, the  
9 petition for writ of habeas corpus is GRANTED.

10  
11 The Court ORDERS the State of California either to  
12 grant petitioner a new trial on the special circumstance  
13 allegations and, if appropriate, the penalty phase  
14 verdict, or to vacate the special circumstance findings  
15 and the sentence of death and to re-sentence petitioner in  
16 accordance with California state law and the United States  
17 Constitution.

18  
19 IT IS SO ORDERED.

20  
21 Dated: July 22, 2010.

22   
23 Christina A. Snyder  
24 UNITED STATES DISTRICT JUDGE  
25  
26  
27  
28

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