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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARTIN KIPP,
Petitioner,
v.
RON BROOMFIELD,* Acting Warden
of California State Prison at San
Quentin,
Respondent.

CASE NO. CV 99-4973 AB
DEATH PENALTY CASE
JUDGMENT

Pursuant to the Mandate of the Court of Appeals issued February 16, 2021 and the Judgment of the Court of Appeals entered August 19, 2020, petitioner Martin Kipp’s Amended Petition for Writ of Habeas Corpus is **CONDITIONALLY GRANTED**. The judgment of conviction and special circumstance finding in the matter of *People v. Martin James Kipp*, Case No. C56472 of the California Superior Court of Orange County, are **VACATED**. The State of California shall, no later than 90 days after the entry of this Judgment,

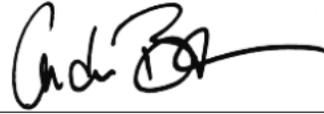
* Ron Broomfield is substituted for his predecessors as Warden of California State Prison at San Quentin pursuant to Federal Rule of Civil Procedure 25(d).

1 either release[†] petitioner from his incarceration on that conviction and judgment or
2 grant him a new trial.

3 The Clerk is ordered to enter this Judgment.

4 **IT IS SO ORDERED.**

5 Dated: February 18, 2021.



6
7 ANDREW BIRRTTE, JR.
8 United States District Judge

9 **cc: Habeas Division**

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28 [†] Petitioner remains incarcerated on his Los Angeles County conviction and sentence of death,
People v. Martin James Kipp, Case No. A028286.