

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RICKY LEE EARP,)	CASE NO. CV 00-06508 MMM
)	
Petitioner,)	
)	JUDGMENT
vs.)	
)	
MICHAEL MARTEL, Warden of the)	
California State Prison at San Quentin,)	
)	
Respondent.)	

On February 27, 2003, Judge Manuel L. Real issued an order dismissing all nineteen claims in Ricky Lee Earp’s petition for writ of habeas corpus. On September 8, 2005, the Ninth Circuit Court of Appeals affirmed the dismissal of all but two of the claims. It remanded Earp’s prosecutorial misconduct and ineffective assistance of counsel claims to the district court for an evidentiary hearing.


On March 11, 2008, Judge Real issued an order dismissing Earp’s prosecutorial misconduct and ineffective assistance of counsel claims. On October 19, 2010, the Court of Appeals affirmed the dismissal of the ineffective assistance of counsel claim, reversed the dismissal of the prosecutorial misconduct claim, and remanded and reassigned that claim to another judge for a further evidentiary hearing. The matter was subsequently assigned to this court.

On December 14, 2015, the court issued an order dismissing Earp’s prosecutorial misconduct claim, which was his last remaining claim. Consequently,

1 IT IS ORDERED AND ADJUDGED that

- 2 1. Earp's petition for the writ of habeas corpus is denied with prejudice; and
3 2. The action be, and it hereby is, dismissed.

4
5 DATED: December 14, 2015


6 MARGARET M. MORROW
7 UNITED STATES DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28