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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA
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9 UNITED STATES OF AMERICA,) 1:02-cr-5301 OWW
10 Plaintiff,) ORDER TO AMEND JUDGMENT
11 v.)
12 BROOKE ROWLAND, et al.,)
13 Defendants.)
14 _____)
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16 The petition for habeas corpus brought by Brooke Rowland
17 regularly came on for hearing Monday, March 16, 2009.

18 Defendant Rowland is correct that the judgment in this case
19 entered May 8, 2006, erroneously fails to reflect that the
20 parties' and court's intent was that the judgment should specify
21 that Defendant Rowland's federal sentence was ordered to and must
22 run concurrently with his state term of incarceration in Superior
23 Court of California, Case Number CD 165314.

24 The United States recommended in this case at the time of
25 Defendant Rowland's sentencing, that his time in Federal custody
26 precede the serving of his State Court sentence. Defendant
27 Rowland agreed not to contest the imposition of the 20 year
28 maximum term in this case, on the condition that the government

1 recommended that he serve his Federal sentence first.

2 IT IS ORDERED that the judgment of conviction in this case
3 previously entered May 8, 2006, is amended as follows:

4 The Defendant is hereby committed to the custody
5 of the United States Bureau of Prisons to be imprisoned
6 for a total term of 240 months, said term to run
7 concurrently with his California state court term of 15
8 years to life in Superior Court of California, County
9 of San Diego, Case No. CD 165314.

10 Based on the recommendation of the United States
11 in this case, the Court makes the following
12 recommendation to the United States Bureau of Prisons:

13 The Court recommends that the Defendant be
14 incarcerated in a Pennsylvania facility, or at Butner
15 FCI in North Carolina, only insofar as this accords
16 with security classifications and space availability.

17 The Court recommends that the Defendant's term of
18 incarceration be served prior to service of his state
19 term of incarceration in Case No. CD 165314.

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21 IT IS SO ORDERED.

22 Dated: April 6, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE