

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VINCE BREWER,
Petitioner,
v.
M.C. KRAMER,
Respondent.

No. 08-00030 CW
ORDER TO CONFIRM
SENTENCE CORRECTION

On January 7, 2008, Petitioner Vince Brewer, a state prisoner incarcerated at Folsom State Prison, filed a petition for a writ of habeas corpus. On June 16, 2008, Respondent filed an answer and on July 8, 2008, Petitioner filed a traverse. In its answer, Respondent indicates that, on direct appeal, the appellate court ordered the trial court to strike a one-year sentence enhancement imposed under California Penal Code § 667.5(b) but that the trial court had not corrected the sentence as it was instructed. Respondent indicated that it had prepared a letter advising the trial court of this oversight.

The docket does not indicate that Petitioner's sentence has been corrected. Respondent is ordered to advise the Court, within two weeks from the date of this order, whether the trial court has

1 corrected Petitioner's sentence.

2 IT IS SO ORDERED.

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4 Dated: 1/28/09

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CLAUDIA WILKEN
United States District Judge