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10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA

12 JUAN NUILA-CHAVEZ,) 1:08-CV-00403 AWI GSA HC
13 Petitioner,) ORDER DISMISSING PETITION AND
14) DIRECTING CLERK OF COURT TO ENTER
15 v.) JUDGMENT AND CLOSE CASE
16 LIEUTENANT KEVIN WRIGHT, et al.,)
17 Respondents.)
18 _____)

19 Petitioner is proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. §
20 2241. He is represented in this action by Robert B. Jobe, Esq.

21 On October 22, 2008, the undersigned issued an Order adopting the Magistrate Judge's
22 Findings and Recommendation that had recommended the petition be GRANTED and Petitioner be
23 released from custody unless, within 60 days, the government provided Petitioner with a hearing
24 before an Immigration Judge with the power to grant him bail.

25 On October 28, 2008, Respondent filed a notice of compliance advising the Court that
26 Petitioner had been granted a bond hearing on October 15, 2008, wherein Petitioner was denied bail.
27 A copy of the decision is attached to Respondent's notice.

28

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Petition for Writ of Habeas Corpus is DISMISSED;
- 3 2. The Clerk of Court is DIRECTED to enter judgment and close the case.

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5 IT IS SO ORDERED.

6 **Dated: February 14, 2009**

/s/ Anthony W. Ishii

7 CHIEF UNITED STATES DISTRICT JUDGE

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