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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

<p>PHILLIP ANGEL SENTENO,</p> <p style="text-align: right;">Petitioner,</p> <p style="text-align: center;">vs.</p> <p>STATE OF CALIFORNIA; DERRAL ADAMS, Warden,</p> <p style="text-align: right;">Respondents.</p>	<p>CASE NO. 08cv0694-JLS(JMA)</p> <p>ORDER GRANTING RESPONDENTS' APPLICATION FOR STAY OF ORDER GRANTING HABEAS CORPUS RELIEF PENDING APPEAL</p> <p>[Dkt No. 15]</p>
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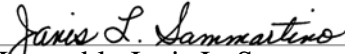
By Order entered December 8, 2009, this Court granted state prisoner Phillip Angel Senteno's 28 U.S.C. § 2254 habeas corpus petition for relief from Governor Arnold Schwarzenegger's decision to reverse the Board of Parole Hearing's grant of parole. Pursuant to Rule 8 of the Federal Rules of Appellate Procedure, Respondents now move for a stay of that Order pending appeal. In consideration of the unsettled state of the law in this area, and for good cause shown, **IT IS HEREBY ORDERED:**

1. Respondents' Application for a stay to preserve the *status quo* pending the outcome of the appeal is **GRANTED**.

2. Respondents shall promptly notify this Court of the Ninth Circuit's *en banc* ruling in Hayward v. Marshall, 512 F.3d 536, 542d (9th Cir.), *reh'g en banc granted*, 527 F.3d 797 (9th Cir. 2008) or the result of their appeal, whichever occurs soonest, along with appropriate stay disposition briefing.

IT IS SO ORDERED.

DATED: December 18, 2009



 Honorable Janis L. Sammartino
 United States District Judge