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UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MARIO ARCIGA, Petitioner, v. SCOTT FRAUENHEIM, *Warden*, Respondent.	No. 1:15-cv-01372-DAD-CDB (HC) ORDER VACATING THE COURT'S APRIL 18, 2023 ORDER AND JUDGMENT

On April 17, 2023, the Ninth Circuit remanded this action with instructions to vacate the court's November 21, 2022 order and dismiss petitioner Mario Arciga's petition for federal habeas relief. (Doc. No. 79.) On April 18, 2023, the court issued an order pursuant to the Ninth Circuit's instructions on remand. (Doc. No. 79.) That order was issued in error, however, because the Ninth Circuit has not yet issued its mandate. Accordingly, the court hereby vacates its April 18, 2023 order and the judgment that was entered in accordance with that order. (Doc. Nos. 79, 80.)

The Clerk of the Court is directed to update the docket to reflect that the order and judgment entered on April 18, 2023 (Doc. Nos. 79, 80) have been vacated.

IT IS SO ORDERED.

Dated: **April 20, 2023**

Dale A. Drozd

UNITED STATES DISTRICT JUDGE

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