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

RICHARD E. GRANT,

Petitioner,

No. CIV S-90-0779 JAM JFM

vs.

DEATH PENALTY CASE

WARDEN, San Quentin
State Prison, et al.,

Respondents.

ORDER

_____/

On September 9, 2009 the Court of Appeals for the Ninth Circuit issued the mandate pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure in petitioner’s appeal no. 06-99003. Thus the Court of Appeals’ February 12, 2009 judgment took effect on September 9. In its February 12 Order, the Court of Appeals affirmed this court’s January 12, 2006 Order granting petitioner penalty phase relief. On September 16, 2006, this court stayed the January 12 and April 6, 2006 Orders pending resolution of the appeal.¹

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¹ In response to a request from respondent, the April 6 Order clarified the January 12 Order.

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Accordingly, IT IS HEREBY ORDERED that the September 16, 2006 stay is lifted and the January 12, 2006 Order of this court is effective today.

DATED: August 18, 2010

/s/ John A. Mendez
U. S. DISTRICT COURT JUDGE