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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JERRY VALDIVIA, ALFRED YANCY,  
and HOSSIE WELCH, on their own  
behalf and on behalf of the class  
of all persons similarly situated,

NO. CIV. S-94-671 LKK/GGH

Plaintiffs,

v.

O R D E R

ARNOLD SCHWARZENEGGER, Governor of  
the State of California, et al.,

Defendants.

\_\_\_\_\_ /

The Special Master filed his Tenth Report on April 21, 2011.  
(Doc. No. 1647). No objections were filed. The court has considered  
the report and ADOPTS the Special Master's findings and  
recommendations in full.

Further, the court HEREBY FINDS that defendants have  
demonstrated substantial compliance with the following  
requirements:


- Plaintiffs' counsel has access to the information  
reasonably necessary to monitor compliance; and

1 • Deputy Commissioners shall not have authority to increase  
2 the Return to Custody Assessment at the Probable Cause  
3 Hearing.  
4 These requirements will therefore no longer be a primary focus of  
5 Plaintiffs' or the Special Master's monitoring unless they are  
6 inextricably linked with review of the hearing process, the  
7 remedial sanctions obligations of the Permanent Injunction, or  
8 arise in the course of investigating an individual parolee's  
9 situation. These items will remain in this status unless and until  
10 it comes to the parties' or the Special Master's attention that  
11 there has been a significant decline in compliance. To allow for  
12 such attention, defendants SHALL report the status of these  
13 requirements to all parties every six months, beginning on January  
14 8, 2012.

15 IT IS SO ORDERED.

16 DATED: May 13, 2011.

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LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT