

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

SABU SHERVON McCRAY, 2:06-cv-0485-GEB-CMK-F

Petitioner,

VS.

ORDER

SCOTT KERNAN, et al.,

Respondents.

Petitioner, a state prisoner proceeding with appointed counsel, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the denial of parole. Pending before the court is petitioner's unopposed motion for voluntary dismissal (Doc. 52) of this action as moot. Petitioner states that he was ultimately granted parole with respect to his life term in December 2008. While petitioner remains in custody pursuant to a different conviction arising from an offense petitioner committed while in prison, the issues raised in the instant petition are now moot.

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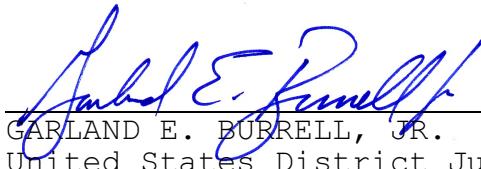
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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner's unopposed motion for voluntary dismissal (Doc. 52) is
3 granted;
4 2. This action is dismissed as moot; and
5 3. The Clerk of the Court is directed to enter judgment and close this file.

6 Dated: February 17, 2009

7 
8 GARLAND E. BURRELL, JR.
9 United States District Judge