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

Steven Eric Walker,

2:06-cv-02062-ATG

Petitioner,

ORDER GRANTING CERTIFICATE OF
APPEALABILITY

vs.

D.K. Sisto, Warden,

Respondent.

_____ /

On January 15, 2010, Petitioner Steven Eric Walker filed a Notice of Appeal. (Docket #28). This notice is deemed to be a Request for a Certificate of Appealability. The Request is GRANTED, limited to the question of the continuing validity of *Sass v. Cal. Bd. of Prison Terms*, 461 F.3d 1123 (9th Cir. 2006).

Dated: January 20, 2010

/s/ Alfred T. Goodwin

ALFRED T. GOODWIN
United States Circuit Judge
Sitting by designation