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

10
 11 MICHAEL BRODHEIM,) NO. Civ. S 06-2326 LKK GGH
)
 12) Petitioner,) **CERTIFICATE OF APPEALABILITY**
)
 13) v.)
)
 14) KATHLEEN DICKINSON, Warden,)
)
 15) Respondent.)
 16)

17 Under authority of Title 28, United States Code section 2253(c),
 18 and Federal Rule of Appellate Procedure 22(b)(1), the Court hereby
 19 certifies that there is cause for an appeal in the above-entitled case.
 20 Accordingly, a certificate of appealability is hereby granted as to the
 21 issue of whether the district court erred in limiting federal habeas
 22 relief to ordering a new suitability hearing rather than the
 23 calculation of Mr. Brodheim's release date.

24 IT IS SO ORDERED.

25 DATED: December 8, 2010

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 27 
 28 LAWRENCE K. KARLTON
 SENIOR JUDGE
 UNITED STATES DISTRICT COURT