IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RON HICKS, Petitioner, vs. M. SHEPARD, Warden, Respondent.	Case No. 2:07cv897 MSB **ORDER**

Petitioner Ron Hicks, incarcerated and proceeding *pro se*, filed this habeas petition under 28 U.S.C. § 2254 to challenge the California Board of Prison Terms' 2002 decision denying him parole. However, on July 7, 2010, Respondent Shepard filed a Motion to Dismiss Mr. Hicks's Petition as Moot (doc. # 18), on the grounds that Mr. Hicks has been found suitable for parole and released. Mr. Hicks then filed a status report with this Court (doc. # 19) confirming that he has been released and requesting that his petition be dismissed.

In light of the foregoing, Respondent's Motion to Dismiss (doc. # 18) is **GRANTED**, and Mr. Hicks's Petition is **DISMISSED** as moot. Mr. Hicks's Motion to Appoint Counsel (doc. # 14) is **DENIED** as moot. The Clerk shall close this case.

It is so ordered this 30th day of September, 2010.

/s/ Marsha S. Berzon

MARSHA S. BERZON
United States Circuit Judge
Sitting by designation

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