IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

GONZALO R. GONZALES, Petitioner, vs. R. J. SUBIA, Respondent.	Case No. 2:07-cv-02355-MSB **ORDER**

The Court is in receipt of Petitioner Gonzalo Gonzales's Petition for Writ of Habeas Corpus. (Dkt. #s 1, 16, 17). The Court will await the decision of the *en banc* panel of the United States Court of Appeals for the Ninth Circuit in *Hayward v. Marshall*, No. 06-55392, before ruling on the Petition.

DATED this 15th day of September, 2009.

/s/ Marsha S. Berzon

MARSHA S. BERZON
United States Circuit Judge
Sitting by designation

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