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

ROBERT LAUCELLA,

Petitioner,

No. CIV S-08-109 LKK CHS P

vs.

D.K. SISTO,

Respondents.

ORDER

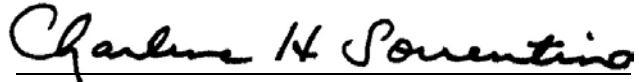
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Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus brought pursuant to 28 U.S.C. §2254. Petitioner challenges the Governor’s August 31, 2006 reversal of the decision of the Board of Parole Hearings finding him suitable for parole. In an order dated September 21, 2009, respondent was directed to furnish the court with a complete copy of the transcript of petitioner’s 2005 parole hearing. On October 12, 2009, respondent furnished the transcript. Upon further review of this matter, it became apparent that the court had requested the wrong transcript; the Governor’s August 31, 2006 reversal, which is at issue in the petition, did not reverse the Board’s 2005 grant of parole, but rather, a previous grant of parole following a 2002 parole suitability hearing. The court regrets the error. Nevertheless, a transcript of the 2002 parole suitability hearing would be helpful to a determination of this case.

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1                   Accordingly, IT IS HEREBY ORDERED that respondent furnish the court with a  
2 complete copy of the transcript(s) of petitioner's parole suitability hearing which took place in  
3 2002 and was the subject of the August 31, 2006 reversal by the Governor within 21 days of the  
4 date of this order.

5 DATED: October 20, 2009.



CHARLENE H. SORRENTINO  
UNITED STATES MAGISTRATE JUDGE

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