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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IAN McFARLAND,)	Case No. CIV S-08-01165 JAM-CHS P
)	
Petitioner,)	<u>ORDER</u>
)	
v.)	
)	
D.K. SISTO, et al.,)	
)	
Respondents.)	
)	

In light of the en banc decision in Hayward v. Marshall, ___F.3d ___, 2010 WL 1664977 (9th Cir. 2010), the stay entered on October 14, 2009 is hereby lifted.

Should the parties wish to file briefing about the impact of the Hayward decision, they may file simultaneous letter briefs of no more than five pages within fourteen days of the date of this order.

IT IS SO ORDERED.

Dated: July 9, 2010



 JOHN A. MENDEZ,
 UNITED STATES DISTRICT JUDGE