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

DEPRIEST WILLIAMS,

Petitioner,

No. CIV S-08-2069 JAM DAD P

vs.

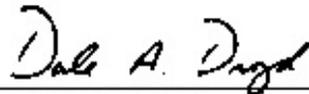
D. K. SISTO, Warden,

Respondent.

ORDER

On April 13, 2010, this court issued findings and recommendations recommending that petitioner’s application for a writ of habeas corpus be granted. On June 3, 2010, respondent filed objections arguing that the findings and recommendations should be rejected and the petition denied based, in part, on the recent Ninth Circuit decision in Hayward v. Marshall, 603 F.3d 546 (9th Cir. 2010) (en banc). In light of respondent’s objections, the April 13, 2010 findings and recommendations will be vacated. Accordingly, IT IS HEREBY ORDERED that the April 13, 2010 findings and recommendations are vacated. New findings and recommendations will issue in due course.

DATED: September 22, 2010.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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