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

DION HENRY,

Petitioner,

No. 2: 08-cv-2070 MCE KJN P

vs.

D.K. SISTO,

Respondent.

ORDER

_____ /


Petitioner is proceeding through counsel with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges a 2006 decision by the Governor of California reversing a finding by the former California Board of Prison Terms (“Board”) that petitioner was suitable for parole.

California Department of Corrections and Rehabilitation records indicate that petitioner is no longer in prison. Within fourteen days of the date of this order, petitioner’s counsel shall inform the court if petitioner has, in fact, been released on parole and whether he is still interested in pursuing the instant action.

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1 Accordingly, IT IS HEREBY ORDERED that within fourteen days of the date of
2 this order, petitioner's counsel shall inform the court whether petitioner has been released and
3 parole and whether he is interested in pursuing the instant action.

4 DATED: January 18, 2011

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7 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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