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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARQUIMEDES MENDOZA,

Petitioner,

v.

MATTHEW CATE,

Respondent.


No. 2:09-cv-1710 MCE DB P

ORDER

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, which this Court denied on June 10, 2021. The Court granted a certificate of appealability. Petitioner noticed an appeal, and the appellate court remanded to this Court for the limited purpose of modifying the certificate of appealability to specify which issues met the requisite showing. The Court thus clarifies that the certificate of appealability was granted as to the following issue only: whether Petitioner’s counsel was ineffective in the negotiation and entry of his guilty plea based on counsel’s misrepresentation that the conviction to which he was pleading guilty was not a “strike” under California’s Three Strikes Law.

IT IS SO ORDERED.

Dated: August 27, 2021


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE
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