

United States District Court  
For the Northern District of California

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

THOMAS LESTER STARK,  
Petitioner,

No. C 02-290 MMC

**ORDER GRANTING PETITION FOR  
WRIT OF HABEAS CORPUS**

v.


RODERICK HICKMAN, Warden,  
Respondent

On remand from and at the direction of the Ninth Circuit Court of Appeals, the petition for a writ of habeas corpus is hereby GRANTED.

Respondent shall release petitioner from custody, unless, with sixty days of the filing of this order, the State of California grants petitioner a new trial.

**IT IS SO ORDERED.**

Dated: March 7, 2007

  
MAXINE M. CHESNEY  
United States District Judge