

FILED

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

OCT 30 2008

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

KENNETH LYNN MOORE,

Plaintiff - Appellant,

v.

EDMUND G. BROWN, Jr., Attorney  
General for the State of California;  
THOMAS ORLOFF, District Attorney for  
the County of Alameda; JOE FABINY,

Defendants - Appellees.

No. 06-15016

D.C. No. CV-04-01952-MHP  
Northern District of California,  
San Francisco

ORDER

Before: HUG, W. FLETCHER and CLIFTON, Circuit Judges.

The petition for panel rehearing, filed October 10, 2008, is hereby DENIED.