

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

DEMETRIUS CONWELL,

No. C 05-2930 MMC

Petitioner,

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

v.


JEANNE WOODFORD; THOMAS L.
CAREY,

Respondents

On remand from and at the direction of the Ninth Circuit Court of Appeals, the petition for a writ of habeas corpus is hereby conditionally GRANTED, and respondents are directed to release petitioner from custody, unless, within ninety days of the filing of this order, the State of California grants petitioner a new trial.

IT IS SO ORDERED.

Dated: March 13, 2009


MAXINE M. CHESNEY
United States District Judge