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RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Attorneys for Petitioner Ron Mosley

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

RON MOSLEY,

Petitioner,

v.

VINCENT CULLEN,

Respondent.

Case No.: C 05-4260 TEH (JL)

**[PROPOSED] ORDER SETTING FORTH
 CONDITIONS OF RELEASE**

1 On December 21, 2010, the Honorable Thelton E. Henderson ordered Respondent, the
2 Warden of San Quentin State Prison, to release Petitioner Ron Mosley upon the posting of an
3 appearance bond and the setting of conditions of release as determined appropriate by the General
4 Duty Magistrate Judge. On December 23, the Court held a hearing to determine the conditions of
5 release. Accordingly, it is hereby

6 ORDERED that the Warden shall release Petitioner Mosley upon posting of an
7 appearance bond in the amount of \$100,000, secured by affidavits of surety without justification
8 signed by Petitioner's mother, Hilda Smith, who resides at 783 Fairview St., Oakland, CA, 94609
9 and his sister, Francine Tournour, who resides at 5028 Taylor Way, El Dorado Hills, CA, 95762
10 and upon the conditions of release set forth below.

11 Until further court order, the petitioner shall:

12 1. Promise to appear for any and all hearings that may be held in this matter, and to
13 surrender to the custody of an official of the State of California within 24 hours of any decision of
14 the United States Court of Appeals for the Ninth Circuit or the Supreme Court of the United
15 States reversing the decision in this case.

16 2. Reside with mother, Hilda Smith at 783 Fairview St., Oakland, CA, 94609, or as
17 approved by the Pretrial Services Agency ("PSA") and do not relocate without prior permission
18 from PSA.

19 3. Report to the PSA one time per week by telephone. *as directed.*

20 4. Remain within the geographic area of the United States District Court for the
21 Northern and Eastern Districts of California. *May visit sister in E.D. Ca.*

22 5. Surrender all passports to the PSA, or sign a declaration with the Clerk of
23 Court, and not apply for the issuance of a passport during the pendency of this case. *N/A.*

24 6. Maintain or actively seek employment and provide proof thereof to the PSA.

25 *Do not*
26 7. ~~Refrain from possessing~~ any ~~and all~~ firearms or other dangerous weapons.

27 8. Refrain from use of alcohol, controlled substances, or any other intoxicant.
28 *without a doctor's prescription,*

1 9. Submit to drug and alcohol testing and outpatient treatment as directed by the
2 PSA.

3 10. ~~Agree to~~ ^{without warrant} submit to a search of his person and/or property by the PSA in
4 ~~conjunction with the U.S. Marshal.~~

5 11. ^{By Hon. Dec. 27} ~~Within~~ 24 hours following release from custody, report to the PSA in Oakland,
6 California.

7 12. ^{Do} ~~1~~ Not commit a Federal, State, or local crime during the period of release.

8 13. Sign the acknowledgment set out below.

9 14. Participate in anger management programming as directed by the PSA.

10 15. Have no contact or communication with the family of victim Edward Wallace,
11 except that counsel for the Petitioner may contact any witness in connection with their
12 representation of Petitioner.
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14

15 IT IS FURTHER ORDERED that this Order shall remain in effect until the United States
16 Court of Appeals for the Ninth Circuit has issued its mandate and the time for the Warden to file a
17 petition for writ of certiorari in the United States Supreme Court has expired or, if the Warden
18 files a petition for writ of certiorari, until the petition for writ of certiorari and any subsequent
19 briefing on the merits are ruled upon by the United States Supreme Court. If the decision
20 directing this Court to grant Mosley's petition for writ of habeas corpus is reversed, Mosley shall
21 abide by that decision by surrendering himself to state custody within 24 hours of any such
22 decision.
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1 IT IS FURTHER ORDERED that any violation of the conditions imposed by the Court
2 shall subject Mosley to immediate arrest.

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4 **IT IS SO ORDERED.**

5 Dated: 12-23-10


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8 MAGISTRATE JUDGE JAMES LARSON

Acknowledgment


I, Ron Mosley, understand the methods and conditions of my release as described in this Release Order. I also understand the penalties and forfeitures applicable in the event that I violate ANY condition of my release or if I fail to appear or surrender as required.

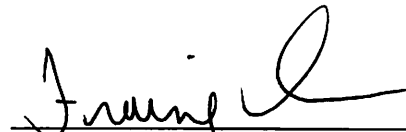
I agree to comply fully with each and every condition imposed on my release.

Dated: 12/23/10


RON MOSLEY

SURETORS:


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Oakland, CA 94609
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