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## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

**FILED** 

JUL 28 2010

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

MICHAEL B. TENORE,

Petitioner - Appellant,

v.

ROSANNE CAMPBELL, Warden, Mule Creek State Prison,

Respondent - Appellee.

No. 09-15427

D.C. No. 3:06-cv-03992-CRB U.S. District Court for Northern California, San Francisco

**MANDATE** 

The judgment of this Court, entered June 04, 2010, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer Clerk of Court

Synitha Walker Deputy Clerk