

**FILED**

UNITED STATES COURT OF APPEALS

AUG 26 2009

FOR THE NINTH CIRCUIT

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

In re: CARLVIN JUSTICE,

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CARLVIN JUSTICE,

Petitioner,

V.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF  
CALIFORNIA (SAN FRANCISCO,

Respondent,

THE EIDEX FAMILY PARTNERSHIP,  
L.P.,

Real Party in Interest.

No. 09-71127

D.C. No. 3:08-cv-01173-EMC

Northern District of California,  
San Francisco

**MANDATE**

The judgment of this Court, entered 7/1/09, 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

By: Synitha Walker  
Deputy Clerk