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United States District Court  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID BRYAN HART,  
Petitioner,

No. C 08-01498 MHP

v.

B. CURRY, warden,  
Respondent.

**JUDGMENT**

This action having come before this court, the Honorable Marilyn Hall Patel, United States District Judge presiding, and the issues having been duly presented and an order having been duly filed granting defendants' motion to dismiss,

IT IS ORDERED AND ADJUDGED that petitioner David Bryan Hart's petition for a writ of habeas corpus, pursuant to 28 U.S.C. section 2254, is GRANTED. Respondent is ordered to release petitioner within thirty (30) days on such terms and conditions as may be set by the California Board of Parole Hearings. The California Department of Corrections and Rehabilitation is directed to credit the period of time from January 10, 2007, the date of Governor Arnold Schwarzenegger's reversal of the Board of Parole Hearing's grant of parole, to the date of petitioner's release toward petitioner's parole term.

IT IS SO ORDERED.

Dated: August 5, 2010



MARILYN HALL PATEL  
United States District Court Judge  
Northern District of California