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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUAN J. CHAN,

No. CV-08-4399 MMC (PR)

Petitioner,

**JUDGMENT IN A CIVIL CASE**

v.

M.S. EVANS, Warden,

Respondent.

**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS SO ORDERED AND ADJUDGED** the petition is hereby DISMISSED, pursuant to 28 U.S.C. § 2244(b) and without prejudice, as a second or second successive petition.

Dated: November 4, 2008

Richard W. Wieking, Clerk



By: Tracy Lucero  
Deputy Clerk