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

HAROLD HARVEY HAWKS,

No. C 08-04605 JSW

Petitioner,

**ORDER ON REMAND AND
JUDGMENT**

v.

BEN CURRY,


Respondent.

On September 22, 2010, this Court entered an order granting Petitioner's Petition for Writ of Habeas Corpus and entered judgment in favor of Petitioner. On December 23, 2011, because Petitioner did not raise any procedural challenges to the decision to deny him parole, the Ninth Circuit vacated that judgment and remanded. *See Swarthout v. Cooke*, 131 S.Ct. 859, 862-63 (2011) (per curiam).

In light of the Ninth Circuit's opinion, the Court HEREBY DENIES the Petition for Writ of Habeas Corpus, and HEREBY ENTERS Judgment in favor of Respondent. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: January 4, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE