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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SMILEY JAMES HARRIS  
a/k/a JAMES LaVELL HARRIS,

No. C 09-3257 SI (pr)

**JUDGMENT**

Petitioner,

v.

STATE OF CALIFORNIA,

Respondent.


\_\_\_\_\_ /

United States District Court  
For the Northern District of California

This action for a writ of habeas corpus is dismissed without prejudice to petitioner filing a civil rights action under 42 U.S.C. § 1983, preferably using the court's civil rights complaint form.

IT IS SO ORDERED AND ADJUDGED.

DATED: April 1, 2010

  
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SUSAN ILLSTON  
United States District Judge