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7 **UNITED STATES DISTRICT COURT**  
8 **NORTHERN DISTRICT OF CALIFORNIA**

9 WYATILLIUS HOWARD,

10 Petitioner,

11 vs.

No. C 09-04750 JSW

12 MICHAEL S. EVANS, Warden,


13 Respondent.  
14 \_\_\_\_\_/

15 **[PROPOSED] ORDER GRANTING LEAVE TO FILE SURREBUTTAL**  
16 **IN OPPOSITION TO STATE’S MOTION TO DISMISS**

17 The Court, having reviewed Petitioner’s “Motion for Leave to File Surrebuttal in  
18 Opposition to State’s Motion to Dismiss,” and finding good cause therefor, hereby grants  
19 Petitioner leave to file said brief and directs the Clerk of the Court to file it accordingly.  
20 and it is deemed filed.

21 IT IS SO ORDERED.

22  
23  
24 Dated: July 6, 2010 \_\_\_\_\_

  
\_\_\_\_\_  
Hon. JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE