

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARK ANTHONY FREGIA,
Petitioner,
v.
MIKE McDONALD, Warden,
Respondent.

Case No. 11-3595 WHO (PR)

**ORDER GRANTING MOTION FOR
REHEARING; VACATING
JUDGMENT AND REOPENING
ACTION; DENYING OTHER
MOTION AS MOOT**

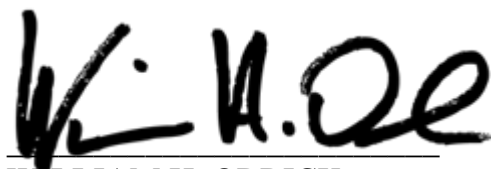
The Court denied the petition for writ of habeas corpus on February 7, 2014. (Docket No. 27.) Fregia has filed a petition for rehearing, asserting that there are additional claims which he exhausted in the state court which were not addressed in the order denying the petition. (Docket No. 29.) The motion is GRANTED. This action shall be reopened for the purpose of ruling on the remaining claims.

Judgment entered on February 7, 2014 is VACATED. The Clerk shall reopen this matter. Fregia's motion for an extension of time to file a certificate of appealability, (Docket No. 31), is DENIED as moot.

This order terminates Docket Nos. 29 and 31.

IT IS SO ORDERED.

Dated: May 27, 2014


WILLIAM H. ORRICK
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARK ANTHONY FREGIA,
Plaintiff,

Case Number: CV11-03595 WHO
CERTIFICATE OF SERVICE

v.

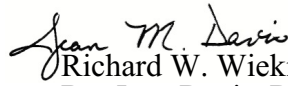
MIKE MCDONALD et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 27, 2014, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person hereinafter listed, by depositing said envelope in the U.S. Mail.

Mark Anthony Fregia G-07230
Sierra Conservation Center 4C 143
5150 O'Byrnes Ferry Road
Jamestown, CA 95327

Dated: May 27, 2014


Richard W. Wieking, Clerk
By: Jean Davis, Deputy Clerk