

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MANUEL JOE CASTRO,

Petitioner,

v.

JOE A. LIZARRAGA, et al.,

Respondents.

Case No. 14-cv-04284-VC

**ORDER DENYING PETITION FOR A  
WRIT OF HABEAS CORPUS**

The petition for a writ of habeas corpus is denied. The California Court of Appeal's decision was neither contrary to, nor an unreasonable application of, clearly established federal law as determined by the U.S. Supreme Court. *See* 28 U.S.C. § 2254(d)(1). The *Miranda* warnings given here were sufficient to "reasonably convey to [Castro] his rights as required by *Miranda*," *Duckworth v. Eagan*, 492 U.S. 195, 203 (1989) – as evidenced by the fact that Castro actually invoked his rights under *Miranda*. More to the point, for federal habeas purposes, a fairminded jurist could easily conclude that this was so. *See Harrington v. Richter*, 562 U.S. 86, 102 (2011). Likewise, consistent with the plurality opinion in *Oregon v. Bradshaw*, 462 U.S. 1039, 1045-46 (1983), the California Court of Appeal reasonably concluded that the police officer did not continue interrogating Castro (by asking routine booking-related questions) after Castro invoked his right to counsel, and that Castro instead reinitiated discussion of the case. *See Kemp v. Ryan*, 638 F.3d 1245, 1256 (9th Cir. 2011). Nor is there any basis to conclude that Castro's statement was involuntary.

**IT IS SO ORDERED.**

Dated: July 25, 2016



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VINCE CHHABRIA  
United States District Judge