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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

LaCARL MARTEZ DOW,  
Petitioner,

No. C 06-1219 PJH (PR)

vs.

**ORDER GRANTING  
PETITION**

TOM L. CAREY, Warden,  
Respondent.

The Ninth Circuit reversed and remanded this habeas petition with directions to issue a writ unless the state retries petitioner within a reasonable period. The mandate was issued on October 7, 2013.

Therefore, the petition for writ of habeas corpus is **GRANTED**. Respondent shall release petitioner unless the state commences proceedings to retry him within one hundred and twenty (120) days of this order.

The Clerk shall serve this order upon petitioner's counsel of record, respondent, the San Mateo County Public Defender's Office and the San Mateo County District Attorney's Office.

**IT IS SO ORDERED.**

Dated: October 18, 2013.



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PHYLLIS J. HAMILTON  
United States District Judge

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**United States District Court**  
For the Northern District of California