

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DELANO TOLDEN,  
  
Plaintiff,  
  
v.  
  
GARY SWARTHOUT, Warden,  
  
Defendant.

No. 08-03782 CW  
  
AMENDMENT TO  
ORDER DENYING  
PETITION FOR  
HABEAS CORPUS

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The March 1, 2010 Order Denying Petition for Habeas Corpus is amended as follows. On page 14, lines 23-24, the sentence, "However, in other testing, Petitioner scored from 69 to 70." is deleted. On page 14, lines 24-27, the sentence is changed to read, "Dr. Darning also testified that reports from other professionals opined that Petitioner was of average intelligence, although he thought the psychometric data proved otherwise. RT at 579, 595."

IT IS SO ORDERED.

*Claudia Wilken*

Dated: April 13, 2010

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CLAUDIA WILKEN  
United States District Judge