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3 IN THE UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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6 JOSE AYALA,

No. C 09-03170 SBA (PR)

7 Petitioner,

**ORDER GRANTING PETITIONER'S  
REQUEST TO FILE A SUPPLEMENT TO  
HIS OPPOSITION TO RESPONDENT'S  
MOTION TO DISMISS; AND DIRECTING  
RESPONDENT TO FILE A REPLY**

8 v.

9 ROBERT A. HOREL, Warden,

10 Respondent.  
\_\_\_\_\_ /

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12 Petitioner has filed a "Request to Supplement His Opposition to Respondent's Motion to  
13 Dismiss." Having read and considered Petitioner's motion, the Court GRANTS Petitioner's request  
14 to file a supplement to his opposition. The Clerk of the Court is directed to docket and file the  
15 attached supplement to his opposition as his "Supplemental Brief to Petitioner's Memorandum in  
16 Opposition," and mark it as filed on the date it was received. Respondent shall file a reply to the  
17 supplement no later than **March 24, 2011.**

18 This Order terminates Docket no. 12.

19 IT IS SO ORDERED.

20 DATED: 3/9/11  
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21   
22 SAUNDRA BROWN ARMSTRONG  
23 UNITED STATES DISTRICT JUDGE  
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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JOSE AYALA,  
Plaintiff,

v.

ROBERT A. HOREL et al,  
Defendant.

Case Number: CV09-03170 SBA

**CERTIFICATE OF SERVICE**

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 March 9, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jose Ayala H34710  
Pelican Bay State Prison  
P.O. Box 7500  
Crescent City, CA 95532

Dated: March 9, 2011

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk