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

**JORGE AYALA,**  
  
**v.**  
  
**GREG LEWIS, Warden,**

11-CV-05708-YGR

Petitioner, **JUDGMENT**

Respondent.

For the reasons set forth in this Court’s Order Granting Petition for Writ of Habeas Corpus and Remanding Case for New Trial,


**IT IS ORDERED AND ADJUDGED**

That petitioner Jorge Ayala’s Petition for Writ of Habeas Corpus is **GRANTED**. The matter is **REMANDED** to the Superior Court for the County of Santa Clara, State of California, for a **NEW TRIAL**. Respondent shall release petitioner unless the state commences proceedings to retry him within ninety (90) days of this order. This Court retains jurisdiction to review compliance with its order. Each party bear shall its own costs of action.

The Clerk shall send a copy of this order to petitioner, petitioner’s attorney, and respondent. Respondent shall file a report on the status of this action when it commences criminal proceedings against petitioner, or within sixty (60) days from the date of this order, whichever occurs earlier.

**IT IS SO ORDERED.**

Dated: October 11, 2017

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE