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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ERICK AREVALO,
Plaintiff,
v.
VICKI HENNESSY,
Defendant.

Case No.17-cv-06676-HSG
**ORDER CONDITIONALLY
GRANTING WRIT OF HABEAS
CORPUS**
Re: Dkt. No. 1

United States District Court
Northern District of California

Petitioner Erick Arevalo filed a petition for a writ of habeas corpus on November 20, 2017. Dkt. No. 1. On December 22, 2017, this Court dismissed his petition on abstention grounds. See Dkt. No. 16. Petitioner filed a notice of appeal on December 26, 2017. Dkt. No. 18. On February 9, 2018, the Court of Appeals for the Ninth Circuit reversed this Court’s order of dismissal and remanded the case with instructions. See Arevalo v. Hennessy, No. 17-17545, slip op. at 10-11 (9th Cir. Feb. 9, 2018). The Ninth Circuit’s mandate also issued on February 9, 2018.

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Accordingly, the Court **CONDITIONALLY GRANTS** the petition as follows: the writ of habeas corpus shall issue unless the California Superior Court conducts a new, constitutionally compliant bail hearing in the underlying criminal case within 14 days of the date of this order. The Court assumes this bail hearing will comply with the standards set forth in *In re Humphrey*, No. A152056, 2018 WL 550512 (Cal. Ct. App. Jan. 25, 2018), which the California Court of Appeal decided after this Court issued its dismissal order.

IT IS SO ORDERED.

Dated: 2/9/2018


HAYWOOD S. GILLIAM, JR.
United States District Judge