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3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 SAN JOSE DIVISION

6 Alfred Villa,

NO. C 03-04766 JW

7 Petitioner,

AMENDED JUDGMENT

8 v.

9 Michael Knowles, Warden,

10 Respondent.

11 Pursuant to the Court's September 27, 2010 Order Granting Petition for Habeas Corpus,
12 judgment is entered in favor of Petitioner Alfred Villa against Respondent Michael
13 Knowles, Warden.

14 This case is remanded to the state trial court amend Petitioner's Judgment as follows:

- 15 (1) As to pre-sentence credits, Petitioner's pre-sentence credits shall be recalculated
16 pursuant to Penal Code § 4019, and he shall be awarded 142 days § 4019 credits. The
17 court shall issue a minute order and Amended Judgment to reflect these
18 modifications.
- 19 (2) With respect to post-conviction credits, the trial court shall issue a minute order and
20 amended abstract of judgment to the Department of Corrections to restrict
21 Petitioner's prison credits under Penal Code § 2933.1 only as to the 12 years of
22 consecutive sentences imposed as to Counts 14 and 15, and order that as to all other
23 portions of Petitioner's sentence, he is entitled to the one-for-one credits of § 2933.

24 The Clerk shall close this file.

25 Dated: September 27, 2010

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JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Arthur Paul Beever arthur.beever@doj.ca.gov
3 Glenn R. Pruden glenn.pruden@doj.ca.gov
4 John H. Deist John.Deist@doj.ca.gov
5 William M. Robinson bill@sdap.org

6 **Dated: September 27, 2010**

Richard W. Wieking, Clerk

7 **By: /s/ JW Chambers**
8 **Elizabeth Garcia**
9 **Courtroom Deputy**

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