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**\*E-FILED - 11/20/08\***

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GERARDO JERRY MENCHACA,

Petitioner,

vs.

ROBERT L. AYERS, Warden,

Respondent.

No. C 06-2120 RMW (PR)

**JUDGMENT**

The court having denied the instant petition for writ of habeas corpus on the merits, hereby enters judgment in favor of respondent. Petitioner shall take nothing by way of his petition. The clerk shall close the file.

**IT IS SO ORDERED.**

DATED: 11/17/08

  
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RONALD M. WHYTE  
United States District Judge