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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GARY RAYMOND XAVIER,  
Petitioner,

No. C 08-3299 MHP (pr)

**JUDGMENT**


v.

MIKE EVANS, Warden,  
Respondent.

The petition for writ of habeas corpus is dismissed.

IT IS SO ORDERED AND ADJUDGED.

DATED: January 20, 2009

  
Marilyn Hall Patel  
United States District Judge

United States District Court  
For the Northern District of California