

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

FILED

FEB 17 2009

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY SAH DEPUTY

Hector Juan Ayala

V.

JUDGMENT IN A CIVIL CASE

Robert L. Ayers, Warden of the California State
Prison at San Quentin

CASE NUMBER: 02cv1322-IEG(PCL)

☐**Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.☒**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that the Court **DENIES** Petitioner's Motion for Summary Adjudication on Claim 26. Respondent's Motion for Summary Adjudication on Claim 26 is **GRANTED**. Respondent's Motion to Dismiss Claim 26 pursuant to Teague v. Lane is **GRANTED**. The Third Amended Petition for Writ of Habeas Corpus is **DENIED** as to all claims. Judgment entered in favor of Respondent. Case is closed.....

February 17, 2009

Date

W. Samuel Hamrick, Jr.

Clerk

J. Haslam

(By) Deputy Clerk

ENTERED ON February 17, 2009