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09 OCT 21 AM 10:01

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

 DEPUTY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

DIALLO E. UHURU,

vs.
JOHN MARSHALL, Warden,

Petitioner,

Respondent.

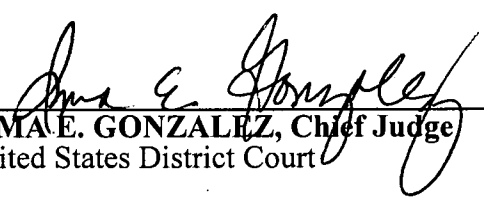
CASE NO. 08cv2424-IEG(AJB)

Order Granting in Part Motion
for Reconsideration

Respondent has filed a motion for reconsideration of the Court's order granting Petitioner a Certificate of Appealability. Respondent's motion is GRANTED IN PART. The Court limits its grant of a Certificate of Appealability to the question of whether Petitioner is entitled to equitable tolling of the statute of limitations because of his mental illness.

IT IS SO ORDERED.

Dated: 10/20/09


IRMA E. GONZALEZ, Chief Judge
United States District Court