
United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Lamonti Mitchell

v.

AMENDED
JUDGMENT IN A CIVIL CASELarry Small, Warden; Mike McDonald; Attorney
General Edmund G. Brown, Jr.**CASE NUMBER:** 10cv1639 BTM (BGS)

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 Dismisses the Petition for a Writ of Habeas Corpus as untimely under 28 U.S.C. § 2244(d)(1). The Court Issues a Certificate of Appealability limited to the issue of equitable tolling. See *Lambright v. Stewart*, 220 F.3d 1022, 1025 (9th Cir. 2000) (holding that a COA should issue where the questions are adequate to deserve encouragement to proceed further, and any doubts whether a COA should issue are to be resolved in favor of petitioner).

April 24, 2012

Date

W. Samuel Hamrick, Jr.

Clerk

s/ E. Silvas

(By) Deputy Clerk

ENTERED ON April 24, 2012