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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MARK A. HANSON,

Case No. 3:04-cv-00130-MMD-VPC

Petitioner,

ORDER

v.

RENEE BAKER, et al.,

Respondents.

In this habeas corpus action, this Court granted Petitioner, Mark A. Hanson, a conditional writ of habeas corpus on March 13, 2018. (See Order entered March 13, 2018 (ECF No. 180); Judgment (ECF No. 181).) The judgment was stayed pending any appeal. (See id.)

Respondents appealed, and on March 25, 2019, the Ninth Circuit Court of Appeals affirmed the granting of the writ. (See Court of Appeals' Memorandum (ECF No.188).) The Court of Appeals ordered that this Court "shall order Hanson released from custody within sixty days of the issuance of the mandate, unless, within that sixty-day period, the State files a written notice in the district court of its election to retry Hanson, and the State thereafter, within sixty days after the filing of that notice, actually commences Hanson's retrial." (See id.) The Court of Appeals issued its mandate on April 16, 2019. (ECF No. 189.)

It is therefore ordered that the stay of the judgment of this Court is lifted.

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It is further ordered that Petitioner Mark A. Hanson be released from custody no later than Saturday, June 15, 2019, unless, no later than that date, the State files a written notice of its election to retry Hanson, and the State thereafter, within 60 days after the filing of that notice, actually commences Hanson's retrial.

DATED THIS 17<sup>th</sup> day of April 2019.

  
MIRANDA M. DU,  
UNITED STATES DISTRICT JUDGE