

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

FERNANDO BELMONTES, <i>Petitioner-Appellant,</i> v. ROBERT WONG, for the California State Prison at San Quentin, <i>Respondent-Appellee.</i>
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No. 01-99018  
D.C. No.  
CV-89-00736-DFL  
Eastern District  
of California,  
Sacramento  
ORDER

Appeal from the United States District Court  
for the Eastern District of California  
David F. Levi, District Judge, Presiding

On Remand From The United States Supreme Court

Filed June 16, 2010

Before: Stephen Reinhardt, Diarmuid F. O'Scannlain and  
Richard A. Paez, Circuit Judges.

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**ORDER**

We have reviewed the briefs filed by the parties following the Supreme Court's issuance of its opinion dated November 16, 2009 in *Wong v. Belmontes*. In light of that opinion, we are compelled to affirm the district court's order denying the writ of habeas corpus.

AFFIRMED.