

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

FRANK TAYLOR, <i>Petitioner-Appellant,</i> v. D. K. SISTO, <i>Respondent-Appellee.</i>
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No. 09-15341  
D.C. No.  
2:06-cv-02878-  
GEB-CHS  
ORDER

Filed January 3, 2011

Before: John T. Noonan, Marsha S. Berzon and  
Sandra S. Ikuta, Circuit Judges.

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**ORDER**

The opinion filed on May 25, 2010 is hereby withdrawn.