

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

STEVEN DIAZ, <i>Petitioner-Appellant,</i> v. DERRAL G ADAMS, <i>Respondent-Appellee.</i>
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No. 08-15808
D.C. No.
2:05-CV-00376-
MCE-CMK
ORDER

On Remand from the United States Supreme Court

Filed January 27, 2012

Before: Procter Hug, Jr. and Milan D. Smith, Jr.,
Circuit Judges, and James Dale Todd,
Senior District Judge.*

ORDER

This case is now controlled by the Supreme Court's decision in *Harrington v. Richter*, 131 S. Ct. 770 (2011). In light of *Harrington*, we conclude that the state court's decision was neither contrary to, nor involved an unreasonable application of, clearly established law as determined by the Supreme Court of the United States. Accordingly, we affirm the district court's denial of the petition for a writ of habeas corpus.

AFFIRMED.

*The Honorable James Dale Todd, Senior District Judge for the U.S. District Court for Western Tennessee, sitting by designation.