

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT RILEY,

Petitioner,

v.

CASE NO. 04-CV-71573-DT
HONORABLE ARTHUR J. TARNOW

MARY BERGHUIS,

Respondent.

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JUDGMENT

This matter having come before the Court on a Petition for the Writ of Habeas Corpus, United States District Judge Arthur J. Tarnow presiding, and pursuant to the Opinion and Order entered on September 15, 2005,

IT IS ORDERED that the Petition for a Writ of Habeas Corpus is GRANTED. The Michigan Supreme Court shall reverse Petitioner's felony murder conviction and remand the case for entry of a judgment of conviction for larceny in a building.

Dated at Detroit, Michigan on September 15, 2005.

DAVID J. WEAVER
CLERK OF THE COURT

By: s/Catherine A. Pickles
DEPUTY CLERK

APPROVED:

s/Arthur J. Tarnow
ARTHUR J. TARNOW
UNITED STATES DISTRICT JUDGE