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# UNITED STATES DISTRICT COURT

Western District of Wisconsin

DONALD WILBERT DAVIS II,

JUDGMENT IN A CIVIL CASE

Petitioner,

09-cv-002-bbc

v.

ROBERT SPODEN, Sheriff,  
Rock County,

Respondent.

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This action came for consideration before the court with U. S. District Judge Barbara B. Crabb presiding.  
The issues have been considered and a decision has been rendered.

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## IT IS ORDERED AND ADJUDGED

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that the petition for a writ of habeas corpus is DISMISSED WITHOUT PREJUDICE for petitioner's  
failure to exhaust his state court remedies.

PETER A. OPPENEER

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Peter A. Oppeneer, Clerk

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Connie A. Korth  
by Deputy Clerk

1/6/09

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Date