

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

NO. CR. S-11-427 LKK

Plaintiff,

v.

O R D E R

ANGELA SHAVLOVSKY and  
VITALY TUZMAN,

Defendants.

\_\_\_\_\_/

In light of Haskell v. Harris, No. 10-15152, \_\_\_ F.3d \_\_\_ (9th Cir. February 23, 2012), this court's decision (attached as an exhibit) invalidating 28 C.F.R. § 28.12, which was to be submitted to the Clerk's Office this morning, will not be submitted.

Accordingly, Tuzman's motion for the return of his DNA sample is **DENIED**.

IT IS SO ORDERED.

DATED: February 24, 2012.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT