

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
) SS
COUNTY OF AMADOR) 28 U.S.C. § 1746

I, Dale R. Hurd, am a resident of the State of California,
am over the age of eighteen years and am/am not a party to the above-entitled action. My address
is listed below.

On October 23, 2018, I served the following document(s):

PETITION FOR REHEARING

by placing true copy(s) thereof enclosed in sealed envelope(s), with First Class postage thereon
fully prepaid, in the United States Mail by delivering to prison officials for processing through
the Institution's internal legal mail system at the Mule Creek

State Prison, Ione, California, addressed as follows:

Clerk of the Court
Supreme Court of the U. S.
1 First Street, N. E.
Washington
DC 20543

Marc A. Kohm, Esq.
Deputy Attorney General
Office of the Attorney General
300 S. Spring St., Suite 1702
Los Angeles
CA 90013

I declare under penalty of perjury, under the laws of the State of California and the
United States of America, that the foregoing is true and correct. Executed in the County of Amador,
California on October 23, 2018.

Dale R. Hurd *Dale R. Hurd*
[Type/Print Name of Sender - Signature Above]

J63118 D17-A205-4
[CDCR Prisoner Number - Housing Location]

MULE CREEK STATE PRISON
P.O. Box 409040
IONE, CA 95640-9089

Pursuant to the holding of the United States Supreme Court in *Houston v Lack*, 487 U.S. 266, 108 S.Ct. 2379, 101 L.Ed.2d 245 (1988), the holding in *Huizar v Carey*, 273 F.3d 1220 (9th Cir. 2001), FRAP, Rule 4(c), and the holding of the California Supreme Court in *In re Jordan*, 4 Cal.4th 116, 119 (1992), inmate legal documents are deemed filed on the date they are delivered to prison staff for processing and mailing via the Institution's internal legal mail procedures.