

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

DEC 27 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

KIM BERRY,

Plaintiff - Appellant,

v.

STATE OF CALIFORNIA; et al.,

Defendants - Appellees.

No. 05-16637

DC # CV-04-02580-KJM
Eastern California (Sacramento)

ORDER

Before: LEAVY, GOULD, and CLIFTON, Circuit Judges

The petition for panel rehearing is denied.