

United States District Court
For the Northern District of California

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
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERNESTO LIRA,

No. C 00-905 SI

Plaintiff,

JUDGMENT

v.

MATTHEW CATE, SECRETARY OF
CALIFORNIA DEPARTMENT OF
CORRECTIONS & REHABILITATION,

Defendant.

On September 30, 2009, the Court filed Findings of Fact and Conclusions of Law, and found that plaintiff prevailed on his claims for declaratory and injunctive relief. Accordingly, IT IS DECLARED that plaintiff's gang validation was not supported by accurate or reliable evidence and was implemented in violation of his procedural due process rights; and IT IS ORDERED that defendant Matthew Cate, as Secretary of CDCR, shall expunge plaintiff's validation as a Northern Structure associate from CDCR records, report the expungement to all gang-related law enforcement databases and clearinghouses to which the original validation was reported previously, and remove all documents related to the validation from plaintiff's prison file; and JUDGMENT is entered in favor of Ernesto Lira and against defendant.

IT IS SO ORDERED AND ADJUDGED.

Dated: September 30, 2009



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California

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
27
28