IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BRIAN P. CARR	)	
	)	
Plaintiff/Appellant	)	C.A. No. 08-35902
		U.S.D.C. No. CV 08-398-HA
		Date Appeal Filed: 10/28/08
v.	)	
	)	**CERTIFICATE OF RECORD**
STATE OF OREGON	)	
	)	
Defendant/Appellee		

This certificate is submitted in conformance with U.S. Court of appeals for the Ninth Circuit Rule 11-2. The record on appeal, consisting of the reporter's transcripts (if any) and the U.S. District Court Clerk's record is ready for the purpose of the appeal. This record is available for use by the parties in the office of the U.S. District Court Clerk.

The documents comprising the District Court Clerk's Record have been numbered in conformance with Rule 11(b) of the Federal Rules of Appellate Procedure. These document numbers are reflected on the district court docket sheet and should be used for reference purposes in the briefs.

Appeals in habeas corpus and 28 USC § 2255 Motion to Vacate Sentence Cases are treated as civil appeals in the Court of Appeals. Criminal appeals briefing schedules have been set by Time Schedule Order.

Dated this 28th day of January, 2009.

SHERYL S. McCONNELL, CLERK

By /s/ Thomas L. Gerhards
Thomas L. Gerhards, Deputy Clerk

Hearing Dates Designated For this Appeal: None Requested

Date On Which Last Transcript Was Filed: N/A