




1 IT IS ORDERED that Judgment be entered: (1) accepting this Report and  
2 Recommendation; (2) dismissing Respondent's Motion to Dismiss as moot; and (3)  
3 directing that Judgment be entered denying the Petition and dismissing this action  
4 with prejudice.

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6 DATED: April 18, 2013

  
7 HONORABLE DEAN D. PREGERSON  
8 United States District Judge

9 Prepared by:

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11  
12 HONORABLE OSWALD PARADA  
13 United States Magistrate Judge