

DEC 22 2011

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

JOSE MANUEL ZUMAYA,

Petitioner,

v.

MICHAEL D. MCDONALD,

Respondent.

Case No. CV 11-03851 VBF (AN)

ORDER ACCEPTING THE FINDINGS  
AND RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the Magistrate Judge's Report and Recommendation ("R&R") and Petitioner's Objections (dkt. 18). Further, the Court has completed a *de novo* review of those portions of the R&R to which Petitioner has objected.

IT IS ORDERED that:

1. The Objections, which merely reiterate arguments already raised and addressed in the R&R, are overruled, and the Court accepts the findings and recommendation of the R&R.

2. Judgment shall be entered denying the Petition and dismissing this action with prejudice.

3. All motions are denied as moot and terminated.

IT IS FURTHER ORDERED that the clerk of the Court shall serve a copy of this Order and the Judgment on all counsel or parties of record.

Dated: December 21, 2011

*Valerie Baker Fairbank*

VALERIE BAKER FAIRBANK  
UNITED STATES DISTRICT JUDGE