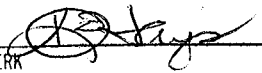
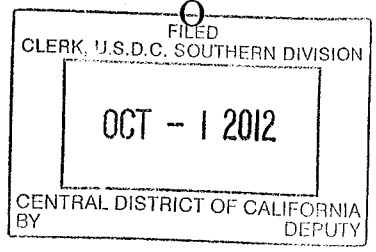


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I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF
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DATED: 10-1-12

DEPUTY CLERK



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAMON LOUIS CALDWELL,

Petitioner,

vs.

J.D. CLAY, Warden,

Respondent.


Case No. CV 11-4546-SVW (RNB)

ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS
OF UNITED STATES
MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report and Recommendation to which objections have been made. The Court accepts the findings and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that (1) petitioner's request for an evidentiary hearing is denied; (2) respondent's Motion to Dismiss is granted; and (3) Judgment be entered dismissing this action with prejudice.

DATED: 9/21/12


STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE