Derwin Lashaun Webster v. Leroy Baca Doc. 30

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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| DERWIN L. WEBSTER,<br>Petitioner,<br>vs.<br>LEROY D. BACA, et al.,<br>Respondent. | Case No. CV 12-616 ODW (MRW)<br><br>ORDER ACCEPTING FINDINGS AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE |

Pursuant to 28 U.S.C. § 636, the Court reviewed the petition, the records on file, and the Report and Recommendation of the United States Magistrate Judge. The Court engaged in a de novo review of those portions of the Report to which Petitioner has objected. (Docket # 21.) The Court accepts the findings and recommendation of the Magistrate Judge.

Moreover, the Court observes Petitioner was recently convicted on the formerly-pending narcotics charges and is no longer a pretrial detainee in state custody. (Docket # 25.) Consequently, his habeas request seeking relief from pretrial detention is now moot. See Deere v. Superior Court, 330 Fed. Appx. 693, *1 (9th Cir. Aug. 5, 2009).

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IT IS ORDERED that Respondents' motion to dismiss is granted and that judgment be entered dismissing this action without prejudice.

DATE: August 27, 2012

HON. OTIS D. WRIGHT II
UNITED STATES DISTRICT JUDGE