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7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA**  
9 **EASTERN DIVISION**

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11 VICTOR MANUEL CANAS, )  
12                   Petitioner, )     Case No.   EDCV 07-00334-VBF (MLG)  
13                   v.            )     ORDER ACCEPTING AND ADOPTING  
14 JAMES A. YATES, Warden, )     FINDINGS AND RECOMMENDATIONS OF  
15                   Respondent. )     UNITED STATES MAGISTRATE JUDGE

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17         Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the  
18 petition and all of the records and files and has conducted a de novo  
19 review of that portion of the Report and Recommendation of the United  
20 States Magistrate Judge to which objections were filed. The Court  
21 accepts and adopts the findings and recommendations in the Report and  
22 Recommendation and orders that judgment be entered denying the  
23 petition with prejudice.

24  
25 Dated: October 23, 2009

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27 *Valerie Baker Fairbank*  
28 Valerie Baker Fairbank  
United States District Judge