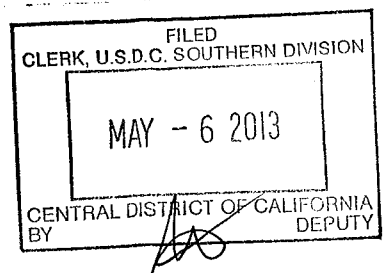


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I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
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DATED: 5/6/2013

D. Vo
DEPUTY CLERK



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BIRL McKINNIE,

Petitioner,

vs.

DAVID B. LONG, Warden,

Respondent.

Case No. EDCV 12-2102-VBF (RNB)

ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS
OF UNITED STATES
MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the records on file herein, 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) respondent's Motion to Dismiss is granted; and (2) Judgment be entered dismissing this action with prejudice.

DATED: May 2 2013

Valerie Baker Fairbank
VALERIE BAKER FAIRBANK
UNITED STATES DISTRICT JUDGE