

1 In his Report and Recommendation the Magistrate Judge advised the parties that they
2 had 10 days from the date of service of a copy of the Report and Recommendation within
3 which to file specific written objections with the Court. The time to file such objections has
4 since expired and no objections to the Report and Recommendation have been filed.

5 The Court finds itself in agreement with the Report and Recommendation of the
6 Magistrate Judge.

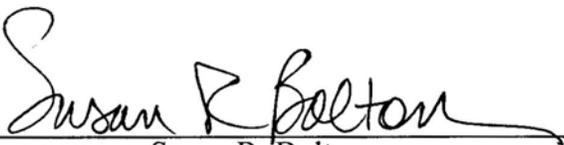
7 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge
8 as the order of this Court.

9 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is granted
10 as follows. Respondent is to release Petitioner unless, within 60 days of the date of this
11 order, Respondent provides a hearing to Petitioner before an Immigration Judge with the
12 power to grant him bail and either bail is granted or Respondent establishes at the bail
13 hearing that Petitioner is a flight risk or will be a danger to the community.

14 IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly.

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DATED this 9th day of December, 2008.



Susan R. Bolton
United States District Judge