

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA — WESTERN DIVISION

MICHAEL GEORGE STEWART, )  
  ) Petitioner,  
  ) vs.  
JOHN C. MARSHALL, Warden, )  
  ) Respondent.

---

Case No. CV 05-259 AHM (JWJ)

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION  
OF UNITED STATES  
MAGISTRATE JUDGE**

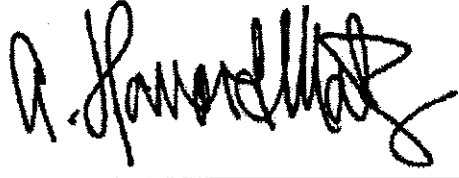
Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the instant Petition for Writ of Habeas Corpus and other papers along with the attached Report and Recommendation of the United States Magistrate Judge, and has made a de novo determination of the Report and Recommendation. The Court concurs with and adopts the conclusions of the Magistrate Judge.

IT IS ORDERED that Respondent's Motion to Dismiss is granted, and that a Judgment be entered dismissing the instant Petition for Writ of Habeas Corpus.

///  
///  
///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS FURTHER ORDERED that the Clerk shall serve forthwith a copy of this Order and the Judgment of this date on Petitioner.



DATED: November 7, 2008

---

A. HOWARD MATZ  
United States District Judge