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FILED
CLERK, U.S. DISTRICT COURT
NOV 18 2008
CENTRAL DISTRICT OF CALIFORNIA
BY [Signature] DEPUTY

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2 UNITED STATES DISTRICT COURT
3 CENTRAL DISTRICT OF CALIFORNIA
4 WESTERN DIVISION
5

6 VINCENT GARCIA HOLGUIN,)

7 Petitioner,)

8 v.)

9 DERRAL ADAMS, WARDEN,)

10 Respondent.)
11

Case No. CV 07-06064 VAP (AN)

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

12
13 Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the
14 Magistrate Judge's Report and Recommendation ("R&R"), *de novo*. IT IS
15 ORDERED that:

- 16 1. The R&R is approved and adopted.
17 2. Judgment shall be entered denying the First Amended Petition and
18 dismissing this action with prejudice.
19 3. All motions are denied as moot and terminated.

20 IT IS FURTHER ORDERED that the Clerk of the Court shall serve a copy of
21 this Order and the Judgment on all counsel or parties of record.
22

23
24 Dated: November 17, 2008

Virginia A. Phillips
VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE