

FILED
CLERK, U.S. DISTRICT COURT
NOV 14 2008
CENTRAL DISTRICT OF CALIFORNIA
BY *JAC* DEPUTY

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3 UNITED STATES DISTRICT COURT
4 CENTRAL DISTRICT OF CALIFORNIA
5 WESTERN DIVISION
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ENTERED - SOUTHERN DIVISION
CLERK, U.S. DISTRICT COURT
NOV 14 2008
CENTRAL DISTRICT OF CALIFORNIA
BY *aw* DEPUTY

7 CEDRICK DEION BROUSSARD,
8 Petitioner,
9 v.
10 W.J. SULLIVAN, Warden,
11 Respondent.
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Case No. CV 07-06206 ODW (AN)

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

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") and Petitioner's
15 Objections thereto, *de novo*. IT IS ORDERED that:

16 1. The Court finds the Objections principally repeat arguments that
17 Petitioner raised in his claims for relief and lack merit for the reasons discussed in
18 the R&R. Therefore, the Objections are overruled and the R&R is approved and
19 adopted.

20 2. The Court concurs with and adopts all of the findings and conclusions
21 of the Magistrate Judge's R&R, however, the R&R is deemed to be modified in part
22 by striking the phrase "and yet Petitioner neither discouraged Memefee nor did he
23 attempt to render aid to Carter after the shooting" at 12:13-14 of the R&R. As
24 modified, the R&R is approved and adopted..

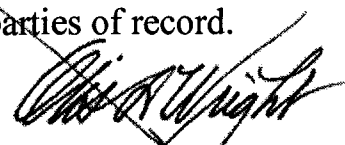
25 3. Judgment shall be entered denying the Petition and dismissing this
26 action with prejudice.

27 4. All motions are denied as moot and terminated.
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IT IS FURTHER ORDERED that the Clerk of the Court shall serve a copy of this Order and the Judgment on all counsel or parties of record.

Dated: Novemer 3, 2008



OTIS D. WRIGHT, II
UNITED STATES DISTRICT JUDGE