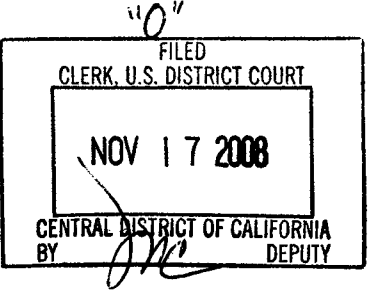


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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MANUEL MELENDREZ,) Case No. CV 08-01888 PA (AN)
Petitioner,)
v.) ORDER APPROVING AND ADOPTING
JOSEPH WOODRING, Warden) REPORT AND RECOMMENDATION OF
Respondent.) UNITED STATES MAGISTRATE JUDGE

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

1. The R&R is approved and adopted.
2. Respondent's Motion to Dismiss the Petition is granted.
3. Judgment shall be entered dismissing the Petition without prejudice.
4. Any and all other pending motions are denied as moot and terminated.

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: November 14, 2008

PERCY ANDERSON
UNITED STATES DISTRICT JUDGE