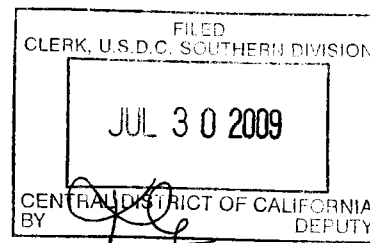


I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
FIRST CLASS MAIL, POSTAGE PREPAID, TO ~~ALL~~ COUNSEL *Petitioner*
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DATED: 7/30/09
[Signature]
DEPUTY CLERK



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JOSE LEDESMA,

Petitioner,

vs.

MICHAEL A. SMELOSKY,
Warden,

Respondent.

Case No. CV 08-8332-GAF (RNB)

ORDER ADOPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. On July 10, 2009, petitioner belatedly filed objections to the Report and Recommendation. Having made a de novo determination of those portions of the Report and Recommendation to which belated objections have been made, the Court concurs with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that Judgment be entered denying the Petition and dismissing this action with prejudice.

DATED: 7/24/09

[Signature]
GARY A. FEES
UNITED STATES DISTRICT JUDGE