

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

FILED  
CLERK, U.S. DISTRICT COURT  
FEB 23 2010  
CENTRAL DISTRICT OF CALIFORNIA  
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

KEVIN GARDNER,

Petitioner,

v.

JAMES D. HARTLEY, Warden,

Respondent.

Case No. CV 09-2088-VBF (JEM)

**JUDGMENT**

In accordance with the Report and Recommendation of the United States Magistrate Judge filed concurrently herewith,

IT IS HEREBY ADJUDGED that the Petition for Writ of Habeas Corpus is denied and dismissed with prejudice.

DATED: 2-23-10

*[Signature]*  
VALERIE BAKER FAIRBANK  
UNITED STATES DISTRICT JUDGE