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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

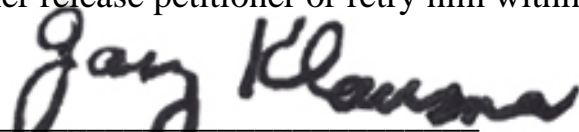
JESSIE HEREDIA,) Case No. CV 09-3669-RGK (DTB)
Petitioner,	
vs.	
LARRY SMALL, Warden,	
Respondent.	

ORDER ACCEPTING 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. Objections to the Report and Recommendation have been filed herein. Having made a de novo determination of those portions of the Report and Recommendation to which objections have been made, the Court concurs with and accepts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that Judgment be entered denying the Petition with respect to Grounds One and Three, and granting the Petition with respect to Ground Two. Respondent is ordered to either release petitioner or retry him within 120 days of the date of this order.

DATED: April 10, 2012



R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE