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FILED

FEB 10 2010

CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION AT SANTA ANA
DEPUTY


**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

TYRUS MCNAIR,
Petitioner,
v.
LINDA SANDERS, WARDEN,
Respondent.

Case No. CV 09-7898-PSG (MLG)
ORDER ACCEPTING AND ADOPTING
FINDINGS AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the petition and all of the records and files and has conducted a de novo review of that portion of the Report and Recommendation of the United States Magistrate Judge to which objections were filed. The Court accepts and adopts the findings and recommendations in the Report and Recommendation and orders that judgment be entered dismissing the petition without prejudice.

Dated: 2/8/10


Philip S. Gutierrez
United States District Judge