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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 EUSEBIO MARTINEZ, ) NO. CV 10-03987 JFW (SS)  
12 )  
12 Petitioner, ) ORDER ADOPTING FINDINGS,  
13 )  
13 v. ) CONCLUSIONS AND RECOMMENDATIONS OF  
14 )  
14 KELLY HARRINGTON, Warden, ) UNITED STATES MAGISTRATE JUDGE  
15 )  
15 Respondent. )  
16 \_\_\_\_\_ )  
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18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition,  
19 all the records and files herein, and the Report and Recommendation of  
20 the United States Magistrate Judge. The time for filing Objections to  
21 the Report and Recommendation has passed and no Objections have been  
22 received. Accordingly, the Court accepts and adopts the findings,  
23 conclusions and recommendations of the Magistrate Judge.

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**IT IS ORDERED** that the Petition is denied and Judgment shall be entered dismissing this action with prejudice.

**IT IS FURTHER ORDERED** that the Clerk serve copies of this Order and the Judgment herein on Petitioner and counsel for Respondent.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 21, 2011

JOHN F. WALTER  
UNITED STATES DISTRICT JUDGE