

IT IS ORDERED that Judgment be entered: (1) approving and adopting this Amended Report and Recommendation; and (2) directing that Judgment be entered denying the Petition and dismissing this action with prejudice.

DATED: September 20, 2011

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HONORABLE DEAN D. PREGERSON United States District Judge

Prepared by:

HONORABLE OSWALD PARADA United States Magistrate Judge