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

ANTON EWING,	)	No. CV 11-1127-DMG (PLA)
	)	
Petitioner,	)	
	)	<b>ORDER ACCEPTING FINDINGS,</b>
v.	)	<b>CONCLUSIONS AND</b>
	)	<b>RECOMMENDATIONS OF UNITED</b>
TERESER A. BANKS, Warden,	)	<b>STATES MAGISTRATE JUDGE</b>
	)	
Respondent.	)	

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Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the other records on file herein, the magistrate judge’s amended report and recommendation, petitioner’s objections to the amended report and recommendation, the magistrate judge’s final amended report and recommendation, and petitioner’s “explanation” filed in response to the final amended report and recommendation. The Court construes petitioner’s “explanation” as supplementary objections. The Court has engaged in a de novo review of those portions of the amended report and recommendation and final amended report and recommendation to which objections and supplementary objections have been made. The Court concludes, based on a review of petitioner’s filings and the record as a whole, that the evidence does not negate the findings that a state bench warrant was issued for petitioner after he failed to appear in state court on October 22, 2009, and that petitioner was arrested on October 27, 2009, pursuant to such warrant, i.e., prior to the issuance of the federal arrest warrant for the violation of his pre-trial release. The

1 Court therefore concurs with the conclusion of the magistrate judge regarding the time period  
2 petitioner was in state custody, and accepts the recommendations of the magistrate judge.

3 ACCORDINGLY, IT IS ORDERED:

- 4 1. The final amended report and recommendation is accepted.
- 5 2. Judgment shall be entered consistent with this order.
- 6 3. The clerk shall serve this order and the judgment on all counsel or parties of record.

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9 DATED: September 26, 2014

  
DOLLY M. GEE  
UNITED STATES DISTRICT JUDGE