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

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11 PETER BERGNE,)
12 Petitioner,)
13 v.) Case No. CV 11-5223-CAS (MLG)
14 TERRI GONZALEZ, WARDEN,) ORDER ACCEPTING AND ADOPTING
15 Respondent.) FINDINGS AND RECOMMENDATIONS OF
) UNITED STATES MAGISTRATE JUDGE

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17 Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed all
18 of the records and files herein, including the Report and
19 Recommendations of the United States Magistrate Judge, and has
20 conducted a *de novo* review of those portions of the Report and
21 Recommendation to which objections were filed. The Court accepts and
22 adopts the findings and recommendations in the Report and
23 Recommendations and orders that judgment be entered dismissing the
24 petition without prejudice.

25 Dated: September 26, 2011

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Christina A. Snyder
United States District Judge