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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

TOMAS HERRERA DURAN,  
Petitioner,

v.

MARTIN BITER, Warden,  
Respondent.


Case No. CV 11-5450-JST (JEM)

ORDER ACCEPTING FINDINGS  
AND RECOMMENDATIONS OF  
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. Section 636, the Court has reviewed the pleadings, the records on file, and the Report and Recommendation of the United States Magistrate Judge. Petitioner has filed Objections, and the Court has engaged in a de novo review of those portions of the Report and Recommendation to which Petitioner has objected. The Court accepts the findings and recommendations of the Magistrate Judge.

IT IS HEREBY ORDERED that: (1) the Petition for Writ of Habeas Corpus is denied; and (2) Judgment shall be entered dismissing the action with prejudice.

DATED: November 5, 2012

  
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JOSEPHINE STATON TUCKER  
UNITED STATES DISTRICT JUDGE