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

BENITO GUTIERREZ,)	NO. CV 12-3996-DDP(E)
)	
Petitioner,)	
)	
v.)	ORDER ACCEPTING FINDINGS,
)	
MARTIN D. BITER, Warden,)	CONCLUSIONS AND RECOMMENDATIONS OF
)	
Respondent.)	UNITED STATES MAGISTRATE JUDGE
)	
_____)	

Pursuant to 28 U.S.C. section 636, the Court has reviewed the
Petition, all of the records herein and the attached Report and
Recommendation of United States Magistrate Judge. The Court accepts
and adopts the Magistrate Judge's Report and Recommendation.

IT IS ORDERED that Judgment be entered denying and dismissing the
Petition with prejudice.

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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order,
2 the Magistrate Judge's Report and Recommendation and the Judgment
3 herein on Petitioner, and on counsel for Respondent.
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5 LET JUDGMENT BE ENTERED ACCORDINGLY.
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7 DATED: July 3, 2013
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10 _____
11 DEAN D. PREGERSON
12 UNITED STATES DISTRICT JUDGE
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