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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

ERNEST ALFRED TORRES,

Petitioner,

v.

DAVID LONG, Warden, et al.,

Respondents.

} CV 13-1015-JFW (SH)
} ORDER ACCEPTING REPORT AND
} RECOMMENDATION OF UNITED
} STATES MAGISTRATE JUDGE
}
}
}

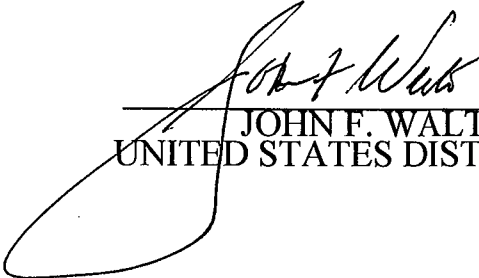
Pursuant to 28 U.S.C. Section 636(b)(1)(C), the Court has reviewed the Petition, all of the records and files herein and the attached Report and Recommendation of the United States Magistrate Judge, and has made a de novo determination of the Report and Recommendation. The Court concurs with and accepts the conclusions of the Magistrate Judge.

IT IS ORDERED that respondent's Motion to Dismiss with respect to the first and second claims alleged in the Petition are granted; and 2) denied with

1 respect to the third claim alleged in the Petition.

2 IT IS FURTHER ORDERED that the Clerk shall serve copies of this Order,
3 Accepting the Magistrate Judge's Report and Recommendation and the Order
4 herein by the United States mail on petitioner and counsel for respondent.

5 DATED: _____
6 AUG 14 2013

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9 JOHN F. WALTER
10 UNITED STATES DISTRICT JUDGE
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