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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NZERIBE CHARLES
ONUMONU,

vs. Petitioner,

GABRIEL VALDEZ, et al.,

Respondent.

) Case No. CV 13-1180 JSL (MRW)

) ORDER ACCEPTING FINDINGS AND
) RECOMMENDATIONS OF
) UNITED STATES MAGISTRATE
) JUDGE

Pursuant to 28 U.S.C. § 636, the Court reviewed the petition, the records on file, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report to which Petitioner has objected.

The Court notes that Petitioner’s objections consist of challenges to his underlying immigration proceedings that are unrelated to the claims raised in his habeas petition, and which are not cognizable in the District Court on habeas review, as they may be raised only in the Ninth Circuit Court of Appeals. See 8 U.S.C. § 1252(a-b). The Court notes further that, in the period after the Magistrate Judge issued the Report and Recommendation, the Ninth Circuit dismissed Petitioner’s then pending appeal (referenced in the Report) and lifted the stay of

1 removal. Based on the foregoing and the Court's review of the record, the Court
2 accepts the findings and recommendation of the Magistrate Judge.

3 IT IS ORDERED that Judgment be entered denying the petition and
4 dismissing this action with prejudice.

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6 DATE: 7/22/13

Spencer Letts

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8 HON. J. SPENCER LETTS
9 SENIOR UNITED STATES DISTRICT
10 JUDGE
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