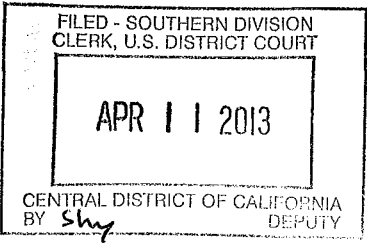


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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 WESTERN DIVISION

MARCUS RUBEN ELLINGTON, Petitioner, v. SALINAS VALLEY STATE PRISON, Respondent.	}	Case No. CV 13-01602 ABC (AN) ORDER ACCEPTING THE FINDINGS AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE
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Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the Magistrate Judge’s Report and Recommendation (“R&R”) and Petitioner’s Objection [13]. Further, the Court has completed a *de novo* review of those portions of the R&R to which Petitioner has objected.

IT IS ORDERED that:

1. The Objection is overruled. It reiterates arguments that were properly rejected in the R&R, and makes additional contentions that are rebutted by the minutes of the July 21, 2011 disciplinary hearing. The Court finds Petitioner’s disciplinary hearing complied with the Due Process Clause, *Superintendent v. Hill*, 472 U.S. 445, 454, 105 S. Ct. 2768 (1985); *Wolff v. McDonnell*, 418 U.S. 539, 556, 563-67, 94 S. Ct. 2963 (1974), and accepts the findings and recommendation of the R&R.

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2. Judgment shall be entered denying the Petition and dismissing this action with prejudice.

3. All motions are denied as moot and terminated.

IT IS FURTHER ORDERED that the clerk of the Court shall serve a copy of this Order and the Judgment on all counsel or parties of record.

Audrey B. Collins

Dated: April 8, 2013

AUDREY B. COLLINS
UNITED STATES DISTRICT JUDGE