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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STEVEN FISHMAN,) Case No. CV 13-2677 MWF(JC)
Petitioner,	
v.	
UNITED STATES OF AMERICA, et al.,	
Respondents.	

ORDER ACCEPTING FINDINGS,
CONCLUSIONS, AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the “Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 by a Person in Federal Custody” (the “Petition”), the Motion to Dismiss the Petition and all supporting and opposing documents filed in connection therewith, and all of the records herein, including Report and Recommendation of United States Magistrate Judge (“Report and Recommendation”). The Court approves and accepts the Report and Recommendation.

IT IS ORDERED that the Petition is dismissed without prejudice because this Court lacks habeas subject matter jurisdiction over petitioner’s claim.

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1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the
2 Report and Recommendation, and the Judgment herein on petitioner and on
3 counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

5 DATED: January 14, 2014

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9 HONORABLE MICHAEL W. FITZGERALD
UNITED STATES DISTRICT JUDGE

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