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

DANIEL FLORES,

Petitioner,

v.

R. BARNES, Warden,

Respondent.

Case No. CV 13-03934 JLS (AFM)

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

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file and the Report and Recommendation of United States Magistrate Judge. Further, the Court has engaged in a *de novo* review of those portions of the Report to which objections have been made.

Petitioner's objections are overruled. Although petitioner objects that the Report failed to analyze the confidential informant's threat of a "green light," petitioner's counsel has not cited anywhere in the record where this alleged threat was made. The Court's independent review of the trial record reveals no instance in which the confidential informant directly threatened petitioner with a green light. The only discussion of green lights contained in the record resulted in the confidential informant assuring petitioner that petitioner's gang was not subject to a green light. (4 CT 765-66.)

1 The Court accepts the findings and recommendations of the Magistrate
2 Judge. IT THEREFORE IS ORDERED that (1) the Report and Recommendation
3 of the Magistrate Judge is accepted and adopted; (2) petitioner's request for an
4 evidentiary hearing is denied; and (3) Judgment shall be entered denying the Third
5 Amended Petition and dismissing the action with prejudice.

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7 DATED: March 6, 2018



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9 JOSEPHINE L. STATON
10 UNITED STATES DISTRICT JUDGE
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