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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CONSTANTINO VEJAR SANCHEZ,	)	Case No. CV 14-4730-JAK (JPR)
	)	
Petitioner,	)	
	)	ORDER ACCEPTING FINDINGS AND
vs.	)	RECOMMENDATIONS OF U.S.
	)	MAGISTRATE JUDGE
STU SHERMAN, Warden,	)	
	)	
Respondent.	)	
_____	)	

The Court has reviewed the Petition, records on file, and Report and Recommendation of U.S. Magistrate Judge. See 28 U.S.C. § 636. On September 18, 2015, Petitioner filed objections to the R&R, in which he mostly repeats arguments from the Petition and Reply.

As he did in his Reply (see Reply at 6-8), Petitioner alleges that his victim hit him with a metal staple gun and put five staples in his head (Objections at 1-2). He states that although "there's no mention of that in the record," he presented the staple-gun allegation to the state courts on habeas review in the form of a medical report. (Id. at 1.) But no such document exists among the exhibits attached to his state-supreme-court

1 habeas petition, and Petitioner does not allege anything about a  
2 staple gun on that petition's form. (See generally Pet., Ex. A  
3 at 32-56.)<sup>1</sup> Further, as the Magistrate Judge noted (R&R at 25),  
4 although Petitioner testified in his defense at trial, he never  
5 mentioned a staple gun.

6 Having reviewed de novo those portions of the R&R to which  
7 objections were filed, the Court accepts the findings and  
8 recommendations of the Magistrate Judge. IT IS ORDERED that the  
9 Petition is denied, Petitioner's request for a copy of the  
10 videotape is denied, and Judgment be entered dismissing this  
11 action with prejudice.

12  
13 DATED: 10/9/15



Handwritten signature of John A. Kronstadt in black ink, consisting of a stylized 'J' followed by 'A. Kronstadt'.

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JOHN A. KRONSTADT  
U.S. DISTRICT JUDGE

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26 <sup>1</sup> Further, none of the exhibits presented to the state  
27 supreme court were missing in the copy of the petition submitted  
28 to this Court. Petitioner refers to exhibits A1, A2, B1, B2, and  
C on the supreme-court habeas petition's form (see Pet., Ex. A at  
34), and all five exhibits follow the last page of the petition  
(id. at 37-55).