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UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

Petitioner,

1 Chilone

V.

CLARK DUCART,

ALI FATEH,

Respondent.

Case No. LA CV 14-06830 VBF(JC)

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

Pursuant to 28 U.S.C. § 636, the Court has reviewed the operative Petition for Writ of Habeas Corpus by a Person in State Custody ("Petition") and all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge ("Report and Recommendation"), and petitioner's objections to the Report and Recommendation ("Objections"). The Court has further made a *de novo* determination of those portions of the Report and Recommendation to which objection is made. The Court concurs with and accepts the findings, conclusions, and recommendations of the United States Magistrate Judge and overrules the Objections.

IT IS ORDERED that the Petition is denied and that this action is dismissed with prejudice.

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

As required by Fed. R. Civ. P. 58(a), final judgment will be entered by separate document.

DATED: November 2, 2015

Valerie Laker Fairbank

HON. VALERIE BAKER FAIRBANK Senior United States District Judge