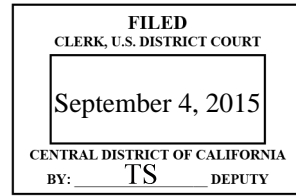


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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

ADAM MANUEL ALVAREZ,        }  
  Petitioner,                    }  
  v.                                    }  
W.L. MONTGOMERY, Warden,   }  
  Respondent.                    }

No. CV 14-09004-PSG (DFM)  
Order Accepting Findings and  
Recommendation of United States  
Magistrate Judge

Pursuant to 28 U.S.C. § 636, the Court has reviewed the petition, the other records on file herein, and the Amended Report and Recommendation of the United States Magistrate Judge. Petitioner has not filed any written objections to the report.

IT IS HEREBY ORDERED that:

1. The Amended Report and Recommendation is approved and accepted.

2. Respondent’s motion to dismiss is GRANTED and the Court exercises its discretion to STRIKE Ground One of the Petition.

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1           3.     Respondent shall file an Answer to the remaining grounds of the  
2 Petition within thirty (30) days of this Order in accordance with the Court's  
3 November 25, 2014 Order Requiring Response to Petition.

4  
5 Dated: September 4, 2015



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6 PHILIP S. GUTIERREZ  
7 United States District Judge  
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