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

ELLSWORTH HARRELL, aka WALTER HARRELL,

Petitioner,

v.

K. SIEBEL, Warden,

Respondent.

Case No. CV 15-2164 AB (SS)

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

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, Respondent's Motion to Dismiss the Petition, Petitioner's "Motion to Grant" the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. The time for filing Objections to the Report and Recommendation has passed and no Objections have been received. Accordingly, the Court accepts the findings, conclusions and recommendations of the Magistrate Judge.

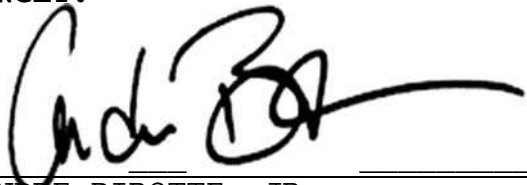
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1           **IT IS ORDERED** that Respondent's Motion to Dismiss the  
2 Petition is GRANTED. Petitioner's "Motion to Grant" the Petition  
3 is DENIED. The Petition is DENIED and Judgment shall be entered  
4 DISMISSING this action WITH PREJUDICE.

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6           **IT IS FURTHER ORDERED** that the Clerk serve copies of this  
7 Order and the Judgment herein on Petitioner at his current  
8 address of record and on counsel for Respondent.

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10           **LET JUDGMENT BE ENTERED ACCORDINGLY.**

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12 DATED: February 28, 2017

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15 ANDRE BIROTTE, JR.  
16 UNITED STATES DISTRICT JUDGE  
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