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

GEOVANY VELASQUEZ,)	Case No. CV 15-5881-R (JPR)
)	
Petitioner,)	
)	ORDER ACCEPTING FINDINGS AND
v.)	RECOMMENDATIONS OF U.S.
)	MAGISTRATE JUDGE
SEC'Y OF THE CAL. DEP'T OF)	
CORRS.,)	
)	
Respondent.)	


Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, records on file, and Report and Recommendation of U.S. Magistrate Judge. On January 30, 2017, Petitioner filed objections to the R. & R., stating that he had not been able to visit the law library but was filing his objections so as not to miss the deadline for doing so. But shortly before the Court received the objections it had granted Petitioner's request for an extension, giving him until March 20 to file objections. Petitioner has not filed any additional objections within that time, although he did lodge with the Court a copy of his Comprehensive Risk Assessment for the Board of Parole Hearings, which the Court has read and considered.

As the Magistrate Judge explained in the R. & R., Petitioner's habeas claims are foreclosed by the Ninth Circuit's recent en banc decision in Nettles v. Grounds, 830 F.3d 922 (9th

1 Cir. 2016) (en banc), cert. denied, 137 S. Ct. 645 (2017).
2 Nothing in Petitioner's objections or the risk assessment changes
3 the fact that under Nettles, his claims sound, if at all, in
4 civil rights, not habeas. For the reasons stated in the R. & R.
5 the Court declines to construe the Petition as a civil-rights
6 lawsuit, but nothing prevents Petitioner from filing a new
7 lawsuit, under 42 U.S.C. § 1983, raising his claims. The Clerk
8 is directed to provide Petitioner with a copy of the Court's pro
9 se civil-rights complaint packet.

10 Having reviewed de novo those portions of the R. & R. to
11 which objections were filed, the Court accepts the findings and
12 recommendations of the Magistrate Judge. IT THEREFORE IS ORDERED
13 that the Petition is denied and Judgment be entered dismissing
14 this action.

15
16 DATED: March 24, 2017



MANUEL L. REAL
U.S. DISTRICT JUDGE