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6	UNITED STATES DISTRICT COURT		
7	CENTRAL DISTRICT OF CALIFORNIA		
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10	LEBARRON J. EDWARDS,	Case No. LACV 15-8406-JAK (LAL)	
11	Petitioner,	ORDER ACCEPTING REPORT AND RECOMMENDATION OF UNITED	
12	v.	STATES MAGISTRATE JUDGE	
13	W.L. MONTGOMERY, Warden,		
14	Respondent.		
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17	Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the Magistrate Judge's		
18	Report and Recommendation, Petitioner's Objections and the remaining record, and has made a		
19	de novo determination.		
20	To the extent Petitioner attempts to raise new claims in his Objections, this Court		
21	declines to consider the belatedly-asserted arguments. A district court has discretion, but is not		
22	required, to consider evidence or claims presented for the first time in objections to a report and		
23	recommendation. <sup>1</sup> Although Petitioner is prose, he nevertheless had the opportunity to include		
24	all of his allegations at an earlier time, but failed to do so. Moreover, Petitioner's claims are not		
25	novel claims in an unsettled area of law. <sup>2</sup> Otherwise, Petitioner's Objections lack merit for the		
26	reasons stated in the Report and Recommendation.		
27			
28	<sup>1</sup> <u>See Brown v. Roe</u> , 279 F.3d 742, 744-45 (9th Cir. 2002). <sup>2</sup> <u>See Sossa v. Diaz</u> , 729 F.3d 1225, 1231 (9th Cir. 2013).		

1	Accordingly, IT IS ORDERED THAT:			
2	1.	. The Report and Recommendation is approved and accepted;		
3	2.	Judgment be entered denying the Petition and dismissing this action with		
4		prejudice; and		
5	3.	The Clerk serve copies of	this Order on the parties.	
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7	DATED: May 25, 2017	gm h		
8		7 25, 2017	HONORABLE JOHN A. KRONSTADT	
9		UNITED STATES DISTRICT JUDGE		
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