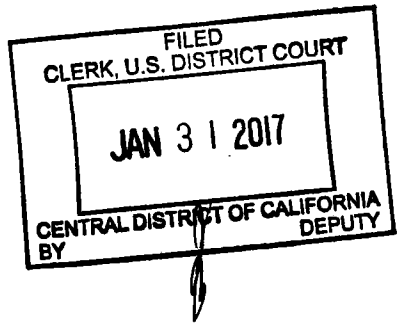


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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAVID WAYNE SPIVEY, JR.,
Petitioner,
v.
NEIL McDOWELL,
Respondent.

No. CV 16-1619 PSG (FFM)
ORDER ACCEPTING FINDINGS,
CONCLUSIONS AND
RECOMMENDATIONS OF
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. Petitioner has not filed any written Objections to the Report. The Court concurs with and accepts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that Judgment be entered dismissing the Petition without prejudice.

DATED: 1/31/17

PHILIP S. GUTIERREZ
United States District Judge