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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAVID DEL TORO,
Petitioner,
v.
RAYMOND MADDEN,
Respondent.

Case No. CV 16-03624 RSWL (RAO)

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 of the records and files herein, and the Magistrate Judge’s Interim Report and Recommendation. The time for filing objections to the Report and Recommendation has passed and no Objections have been received. The Court hereby accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge.

IT IS ORDERED that Grounds 1(d), 3, and 4 of the Petition are dismissed.

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1 IT IS FURTHER ORDERED that within 30 days of this Order, Petitioner
2 shall either (a) elect to proceed on his exhausted claims by filing a “Notice of
3 Petitioner’s Election to Proceed on only his Exhausted Claims and Consent to
4 Striking Unexhausted Claims,” or (b) elect to return to state court to exhaust his
5 unexhausted claims by filing a consent to dismissal of this action without prejudice.
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8 DATED: 2/8/2017

RONALD S.W. LEW

RONALD S.W. LEW
UNITED STATES DISTRICT JUDGE

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