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

NATHAN KENDRIX FRAZIER,
) Petitioner,
) v.
MARTIN FRINK, Warden,
) Respondent.

No. CV 16-4255-DMG (PLA)
**ORDER ACCEPTING MAGISTRATE
JUDGE’S REPORT AND
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the other records on file herein, the Magistrate Judge’s Report and Recommendation, Petitioner’s Objections to the Report and Recommendation, and Petitioner’s Motion Requesting an Evidentiary Hearing filed on April 28, 2017. The Court has engaged in a *de novo* review of those portions of the Report and Recommendation to which objections have been made. The Court accepts the recommendations of the Magistrate Judge.


ACCORDINGLY, IT IS ORDERED:

- 1. The Report and Recommendation is accepted.
- 2. Respondent’s Motion to Dismiss is granted.
- 3. Petitioner’s Motion Requesting an Evidentiary Hearing is denied.

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- 4. Judgment shall be entered consistent with this Order.
- 5. The clerk shall serve this Order and the Judgment on all counsel or parties of record.

DATED: September 19, 2017


DOLLY M. GEE
UNITED STATES DISTRICT JUDGE