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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARTIN TOPETE,)	No. CV 21-5252-VAP (JPR)
)	
Petitioner,)	ORDER ACCEPTING MAGISTRATE
)	JUDGE'S REPORT AND RECOMMENDATION
v.)	
)	
SEAN MOORE, Acting Warden,)	
)	
Respondent.)	
_____)	

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the other records on file herein, and the Magistrate Judge's Report and Recommendation. The Court accepts the recommendations of the Magistrate Judge.

ACCORDINGLY, IT IS ORDERED:

1. Respondent's motion to dismiss is granted.
2. Judgment should be entered consistent with this order.
3. The clerk should serve this Order and the Judgment on all counsel or parties of record.

DATED: September 14, 2022

Virginia A. Phillips

 HONORABLE VIRGINIA A. PHILLIPS
 U.S. DISTRICT JUDGE