

1 IT IS ORDERED that Judgment be entered (1) approving and adopting this
2 Report and Recommendation; (2) granting Respondent's Motion to Dismiss the
3 Petition; and (3) directing that Judgment be entered dismissing this action with
4 prejudice as untimely.

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6 DATED: 11-28-08 
7 HONORABLE STEPHEN G. LARSON
8 United States District Judge

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10 Prepared by:

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13 HONORABLE OSWALD PARADA
14 United States Magistrate Judge

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