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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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12 KYLE DION GISPANSKI,
13 Petitioner,
14 v.
15 P.D. BRAZELTON, Warden,
16 Respondent.

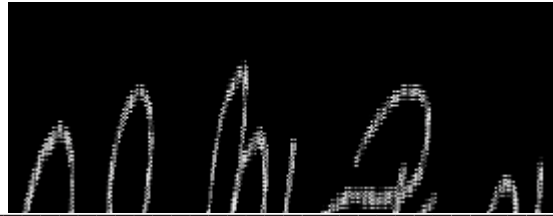
Case No. ED CV 13-2284 MWF (MRW)

ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE

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19 Pursuant to 28 U.S.C. § 636, the Court reviewed the petition, the records on
20 file, and the Final Report and Recommendation of the United States Magistrate
21 Judge. Further, the Court engaged in a de novo review of those portions of the
22 Report to which Petitioner objected.

23 The Court further exercises its discretion to consider the post-hearing
24 declaration of Thomas Chapin. (Docket # 130 at 23.) However, the Court
25 concludes that the declaration is immaterial to the resolution of the factual issues in
26 the action.
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1 The Court accepts the findings and recommendation of the Magistrate Judge.
2 IT IS ORDERED that Judgment be entered denying the petition and dismissing
3 this action with prejudice.

A black and white image of a handwritten signature, likely of Michael W. Fitzgerald, written in white ink on a black background.

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5 DATE: October 3, 2017

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7 HON. MICHAEL W. FITZGERALD
8 UNITED STATES DISTRICT JUDGE
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