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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JAMES FREDERIC JONES,  
Petitioner,  
v.  
JOSEPH W. MOSS, Chief,  
Respondent.

Case No. EDCV 15-2558 DMG (SS)  
**ORDER ACCEPTING AS MODIFIED  
FINDINGS, CONCLUSIONS AND  
RECOMMENDATIONS OF UNITED STATES  
MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, Respondent's Motion to Dismiss the Petition, all of the records and files herein, the Magistrate Judge's Report and Recommendation, and Petitioner's Objections. After having made a de novo determination of the portions of the Report and Recommendation to which Objections were directed, the Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge, as modified to expressly reflect that Respondent's Motion to Dismiss is granted.

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**IT IS ORDERED** that Respondent's Motion to Dismiss is GRANTED.

**IT IS FURTHER ORDERED** that the Petition is DENIED and Judgment shall be entered dismissing this action without prejudice.

The Clerk of the Court is DIRECTED to serve copies of this Order and the Judgment herein on Petitioner at his address of record and on counsel for Respondent.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: September 9, 2016

  
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DOLLY M. GEE  
UNITED STATES DISTRICT JUDGE