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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

GEORGE ENRIQUE HERBERT,  
Petitioner,  
v.  
CALVIN JOHNSON, Warden,  
Respondent.

Case No. EDCV 16-0464 MWF (SS)  
**ORDER ACCEPTING FINDINGS,  
CONCLUSIONS, AND  
RECOMMENDATIONS OF UNITED  
STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the  
Petition, all of the records 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  
concurrs with and adopts the findings and conclusions of the  
Magistrate Judge.

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**IT IS ORDERED** that Judgment shall be entered dismissing this action without prejudice.

**IT IS FURTHER ORDERED** that the Clerk serve copies of this Order and the Judgment herein on Petitioner and counsel for Respondent.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

DATED: September 20, 2016



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MICHAEL W. FITZGERALD  
UNITED STATES DISTRICT JUDGE