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                         UNITED STATES DISTRICT COURT
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                        CENTRAL DISTRICT OF CALIFORNIA
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    ELLIS MCHENRY,
                                        NO. ED CV 16-1758-FMO(E)
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                   Petitioner,
                                        ORDER ACCEPTING FINDINGS,
13
         v.
                                        CONCLUSIONS AND RECOMMENDATIONS
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    DAVID SHINN, Warden,
                                        OF UNITED STATES MAGISTRATE JUDGE
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                   Respondent.
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         Pursuant to 28 U.S.C. section 636, the Court has reviewed the
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    Petition, all of the records herein and the attached Report and
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    Recommendation of United States Magistrate Judge. Further, the Court
    has engaged in a de novo review of those portions of the Report and
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    Recommendation to which any objections have been made.
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    accepts and adopts the Magistrate Judge's Report and Recommendation.
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         IT IS ORDERED that Judgment be entered denying and dismissing
    the Petition without prejudice.
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IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the Magistrate Judge's Report and Recommendation and the Judgment herein on Petitioner and counsel for Respondent. LET JUDGMENT BE ENTERED ACCORDINGLY. DATED: January 17, 2017. UNITED STATES DISTRICT JUDGE