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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MUTULU SHAKUR,
Petitioner
v.
LOUIS MILUSNIC, et al.,
Respondents.

Case No. 5:19-cv-00727-SVW (GJS)

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the operative First Amended Petition [Dkt. 25, “Petition”], all pleadings and other documents filed in this action, and the pending Report and Recommendation of United States Magistrate Judge [Dkt. 79, “Report”]. The parties have filed a Joint Notice [Dkt. 80], in which they state that they do not intend to file objections to the Report and “stipulate and agree that the case be submitted to the District Judge for disposition without further objections from either party.”

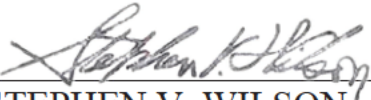
Having completed its review, the Court accepts the findings and recommendations set forth in the Report. Accordingly, **IT IS ORDERED** that: (1) Claims One, Three, and Thirteen of the Petition are DENIED; (2) Claim Two of the Petition is GRANTED; (3) the Bureau of Prisons shall expunge Petitioner’s March

1 2013 disciplinary conviction for a violation of Bureau of Prisons Rule 297; (4)
2 Petitioner shall be provided with a new initial 18 U.S.C. § 4206(d) mandatory parole
3 hearing and consideration within 90 days of the entry of this Judgment, and the
4 United States Parole Commission shall assess whether the two Section 4206(d)
5 statutory exceptions to mandatory parole exist without regard to or consideration of
6 the 2013 disciplinary conviction; (5) to the extent that the 2013 disciplinary
7 conviction has been used as a basis for increasing Petitioner's statutory release date
8 under the United States Parole Commission's guidelines, any additional time so
9 imposed shall be removed; and (6) Judgment shall be entered dismissing this action
10 with prejudice.

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LET JUDGMENT BE ENTERED ACCORDINGLY.

DATE: February 17, 2022



STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE