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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

JOSHUA JAMES SHEBBY,)	No. CV-F-08-670 OWW/BAK HC
)	
)	MEMORANDUM DECISION AND
Petitioner,)	ORDER GRANTING RESPONDENT'S
)	MOTION TO DISMISS PETITION
vs.)	FOR WRIT OF HABEAS CORPUS
)	(Doc. 12) AND DIRECTING
ANTHONY HEDGPETH,)	CLERK OF COURT TO ENTER
)	JUDGMENT FOR RESPONDENT AND
)	TO CLOSE THIS CASE
Respondent.)	
)	

On September 1, 2009, the United States Magistrate Judge filed Findings and Recommendations, recommending that Respondent's motion to dismiss Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner has not filed objections to the Findings and Recommendation. Rather, on September 14, 2009, Petitioner filed a notice of voluntary dismissal of the petition.

The Court has reviewed the record and concurs with the Findings and Recommendation and hereby adopts it.

For the reasons stated:

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1. Respondent's motion to dismiss Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is GRANTED;

2. The Clerk of the Court is directed to enter JUDGMENT FOR RESPONDENT and to close this case.

IT IS SO ORDERED.

Dated: September 22, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE