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

DUANE AGUERO, 2:08-cv-2500-GEB-CMK-P

Petitioner,

vs.

ORDER

STATE OF CALIFORNIA  
DEPARTMENT OF CORRECTIONS,

Respondent.

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On May 28, 2009, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No objections to the findings and recommendations have been filed.

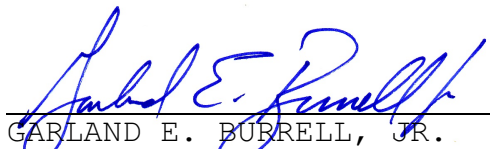
The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the Magistrate Judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 28, 2009, are adopted in full;
2. This action is summarily dismissed; and
3. The Clerk of the Court is directed to enter judgment of dismissal and close this file.

Dated: July 27, 2009

  
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GARLAND E. BURRELL, JR.  
United States District Judge