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

TIMOTHY JOSEPH SEEBOTH,

No. 2:10-CV-02875-MCE-CMK-P

Petitioner,

vs.

ORDER

STEPHEN MAYBERG, et al.,

Respondents.

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding pro se,<sup>1</sup> brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging a civil commitment order. The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On June 23, 2011, 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.

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<sup>1</sup> Petitioner is confined as a sexually violent predator.

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

3           Accordingly, IT IS HEREBY ORDERED that:

4           1.       The findings and recommendations filed June 23, 2011 (ECF No. 13), are  
5 ADOPTED in full;

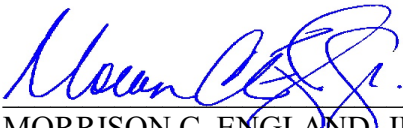
6           2.       Respondents' motion to dismiss (ECF No. 9) is GRANTED;

7           3.       All claims relating to the time period 2001 through 2007 are dismissed as  
8 second or successive, but such dismissal is without prejudice to pursuing those claims if leave  
9 from the Ninth Circuit Court of Appeals is obtained;

10          4.       This action shall proceed on petitioner's claims relating to the time period  
11 2007 through 2010; and

12          5.       Respondents shall file an answer to the petition within 30 days of the date  
13 of this order.

14 Dated: August 29, 2011

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17 MORRISON C. ENGLAND, JR.  
18 UNITED STATES DISTRICT JUDGE  
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