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

GIRLIE BELTRAN,

Petitioner,

No. 2: 11-cv-1857 KJN P

vs.

TIM AITKEN, et al.,

Respondents.

ORDER AND

FINDINGS AND RECOMMENDATIONS

_____ /

Petitioner is proceeding, through counsel, with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On October 7, 2011, respondent filed a motion to dismiss for lack of jurisdiction. On November 3, 2011, the undersigned ordered petitioner to show cause for her failure to oppose respondent’s motion. On November 11, 2011, petitioner filed a response to the show cause order and a statement of non-opposition to respondent’s motion. Good cause appearing, the order to show cause is discharged and the undersigned recommends that respondent’s unopposed motion to dismiss be granted.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall appoint a district judge to this action; and

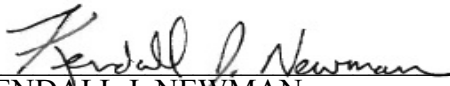
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1 IT IS HEREBY RECOMMENDED that respondent's motion to dismiss (Dkt. No.
2 13) be granted.

3 These findings and recommendations are submitted to the United States District
4 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-
5 one days after being served with these findings and recommendations, any party may file written
6 objections with the court and serve a copy on all parties. Such a document should be captioned
7 "Objections to Magistrate Judge's Findings and Recommendations." Any response to the
8 objections shall be filed and served within fourteen days after service of the objections. The
9 parties are advised that failure to file objections within the specified time may waive the right to
10 appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

11 DATED: November 16, 2011

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14 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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