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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed April 17, 2017, are adopted in full;
2. Respondent's motion to dismiss (ECF No. 11) is granted;
3. The claim identified as "Claim I" in petitioner's application for writ of habeas corpus is dismissed; and
4. Respondent shall file his answer to petitioner's remaining claims within 30 days.

Dated: May 9, 2017

  
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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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