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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SANTANA E. BELMONT,

Petitioner,

vs.

J.F. SALAZAR, Warden,

Respondent.

CASE NO. 06 CV 149 JM (RBB)

**ORDER ADOPTING REPORT
AND RECOMMENDATIONS;
GRANTING IN PART AND
DENYING IN PART PETITION
FOR WRIT OF HABEAS
CORPUS**

Doc. No. 59


On August 19, 2009, Magistrate Judge Ruben B. Brooks entered a Report and Recommendation. (Doc. No. 59). The Report and Recommendation, expressly incorporated herein, thoroughly and thoughtfully analyzed Petitioner’s claims and recommended that Petitioner’s writ of habeas corpus be granted in part and denied in part. Respondent filed objections to the Report and Recommendation. (Doc. No. 60). Pursuant to Local Rule 7.1(d)(1), this matter is appropriate for decision without oral argument.

In his opposition, Respondent simply argues that the Report and Recommendations improperly analyzed the issues raised by the petition and asks the district court to reject it. The court, however, disagrees. The Report and Recommendations properly analyzed all claims and the court therefore ADOPTS the Report and Recommendations in its entirety.

1 Accordingly, the court hereby GRANTS IN PART and DENIES IN PART the petition
2 for writ of habeas corpus as described in the Report and Recommendations. The State must
3 conduct proceedings consistent with this order within ninety days of its entry.

4 **IT IS SO ORDERED.**

5 DATED: August 30, 2010

6 
7 Hon. Jeffrey T. Miller
8 United States District Judge

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