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

Christopher Jones,

Petitioner,

v.

Domingo Uribe,

Respondent.

CASE NO. 09cv1896-JM (LSP)


ORDER ADOPTING REPORT
AND RECOMMENDATION
DENYING RESPONDENT'S
MOTION TO DISMISS

Doc. No. 9

On April 28, 2009, Magistrate Judge Porter entered a Report and Recommendation (Doc. No. 13). The Report and Recommendation, expressly incorporated herein, thoroughly and thoughtfully analyzed Respondent Domingo Uribe's motion to dismiss and recommended that it be denied, with leave to amend. This Court agrees with the Magistrate Judge's assessment of the law, and is unpersuaded by the opposition to the Report and Recommendation filed by Respondent. (Doc. No. 15).

Therefore, **IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge are adopted in their entirety and this Court **DENIES** Respondent's motion to dismiss, with leave to amend.

DATED: July 12, 2010


Hon. Jeffrey T. Miller
United States District Judge