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

BRIAN D. EDWARDS,

vs.
LARRY SMALL, Warden,

Petitioner,

Respondent.

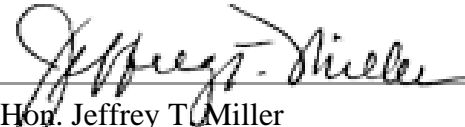
CASE NO. 10cv0918 JM(JMA)
ORDER ADOPTING REPORT AND
RECOMMENDATION

Having carefully considered Magistrate Judge Adler’s thorough and thoughtful Report and Recommendation (“R & R”) regarding the dismissal of the petition for writ of habeas corpus as time-barred, the record before the court, the absence of any objections to the R & R, and applicable authorities, the court adopts the R & R in its entirety.

In sum, the R & R is adopted in its entirety and the petition for writ of habeas corpus is dismissed as time-barred. The Clerk of Court is instructed to close the file.

IT IS SO ORDERED.

DATED: March 16, 2011



Hon. Jeffrey T. Miller
United States District Judge

cc: All parties