



**United States District Court**  
**SOUTHERN DISTRICT OF CALIFORNIA**

Scott W. Smith

**Civil Action No.** 16-cv-02399-LAB-JLB

**Plaintiff,**

**v.**

Shawn Hatton, Warden

**JUDGMENT IN A CIVIL CASE**

**Defendant.**

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED:

That the Court finds the Report & Recommendation correct and adopts it. Fed. R. Civ. P. 72; 28 U.S.C. § 636. The Court grants the respondent's motion to dismiss the petition with prejudice.

**Date:** 5/4/17

**CLERK OF COURT**  
**JOHN MORRILL, Clerk of Court**

By: s/ L. Fincher

L. Fincher, Deputy