UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

RICHARD I. FINE,

Petitioner,

No. CV 09-1914-JFW(CW)

ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED STATES
WAGISTRATE JUDGE

SHERIFF LEROY D. BACA, et al.,)

Respondents.

Pursuant to 28 U.S.C. \S 636(b)(1)(C), the court has reviewed the entire record in this action, as well as the Report and Recommendation of the United States Magistrate Judge and all objections thereto. The court has made a <u>de novo</u> determination with respect to those portions of the Report and Recommendation to which objection has been made.

IT IS ORDERED: (1) that the Report and Recommendation of the United States Magistrate Judge be accepted; (2) that judgment be entered denying the petition and dismissing this action with prejudice; and (3) that the following motions be dismissed as moot in light of this order: Petitioner's ex parte application for order for immediate release (docket no. 9, filed April 9, 2009), Respondent

Sheriff Baca's motion to dismiss (docket no. 12, filed April 24, 2009), the Del Rey Parties' ex parte application to intervene (docket no. 21, filed May 8, 2009), and Petitioner's request for order for immediate release, etc. (docket no. 23, filed May 14, 2009).

IT IS FURTHER ORDERED that this order and the judgment herein be served on the parties.

DATED: <u>June 29, 2009</u>

JOHN F. WALTER United States District Judge