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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JESSIE DEE PRITCHETT,	)	1:12-cv-01333-LJO-SKO-HC
	)	
Petitioner,	)	ORDER RE: FINDINGS AND
	)	RECOMMENDATIONS (DOC. 7)
	)	
v.	)	ORDER DISMISSING PETITIONER'S
	)	SECOND, THIRD, AND FOURTH CLAIMS
AUDREY KING, Executive	)	WITHOUT LEAVE TO AMEND (DOC. 1)
Director,	)	
	)	ORDER REFERRING THE PROCEEDING
Respondent.	)	BACK TO THE MAGISTRATE JUDGE TO
	)	DIRECT THE FILING OF A RESPONSE
	)	TO THE REMAINING CLAIM

Petitioner is a state prisoner proceeding pro se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) (1) and Local Rules 302 and 304.

On October 17, 2012, the Magistrate Judge filed findings and recommendations to dismiss Petitioner's second, third, and fourth claims without leave to amend because they were state law claims and to refer the proceeding back to the Magistrate Judge to direct the filing of a response to the remaining claim in the petition. The findings and recommendations were served by mail

1 on Petitioner on the same date. The findings and recommendations  
2 informed Petitioner that objections were due within thirty days  
3 of service.

4 Although the deadline for filing objections has passed, no  
5 objections have been filed.

6 In accordance with the provisions of 28 U.S.C. § 636  
7 (b) (1) (C), this Court has conducted a *de novo* review of the case.  
8 The undersigned has carefully reviewed the entire file. The  
9 Court finds that the report and recommendations are supported by  
10 the record and proper analysis.

11 Accordingly, it is ORDERED that:

12 1) The findings and recommendations filed on October 17,  
13 2012, are ADOPTED in full; and

14 2) The first, second, and third claims in the petition are  
15 DISMISSED without leave to amend; and

16 3) The matter is REFERRED back to the Magistrate Judge to  
17 direct the filing of a response to the remaining claim in the  
18 petition.

19 IT IS SO ORDERED.

20 **Dated: December 4, 2012**

**/s/ Lawrence J. O'Neill**  
**UNITED STATES DISTRICT JUDGE**