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

CHARLES SHELDON McGEE, Jr.,

No. 2:09-cv-02127-MCE DAD P

Petitioner,

vs.

ORDER

JAMES A. YATES,

Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.


On May 26, 2010, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed May 26, 2010, are adopted in full;
2. Respondent's January 14, 2010 motion to dismiss this action as filed beyond the one-year statute of limitations (Doc. No. 12) is granted; and
3. This action is dismissed.

Dated: July 8, 2010



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE