IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CAMERON CLARK,

Petitioner, No. CIV S-09-3057 FCD GGH P

vs.

D. K. SISTO, et al.,

Respondents. ORDER

_____/

Petitioner, a state prisoner proceeding pro se, has filed this application 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 March 12, 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. Respondent has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 12, 2010, are adopted in full; and

2. Respondent's January 15, 2010, motion to dismiss (Docket No. 13) is denied and respondent is ordered to file an answer to the petition within 60 days.

DATED: May 10, 2010.

FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE