

FILED '11 JAN 24 12:19 USDC-ORM

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

CRYSTIN RARIN BAS QUALLS,

Petitioner,

Civ. No. 09-329-CL

v.

**OPINION AND ORDER**

RICK COURSEY,

Respondent.

**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation ("R and R") [#43], and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983). I conclude that the R and R is correct.

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**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#43) is adopted. The Petition (#1) is DENIED and this action is dismissed. Because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability is DENIED. See 28 U.S.C. § 2253(2).

IT IS SO ORDERED.

DATED this 24 day of January, 2011.

A handwritten signature in cursive script, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE