

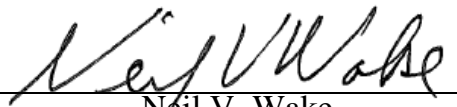
1 U.S.C. § 636(b)(1) (stating that the district court “may accept, reject, or modify, in whole
2 or in part, the findings or recommendations made by the magistrate”).

3 IT IS THEREFORE ORDERED that Report and Recommendation of the
4 Magistrate Judge (Doc.15) is accepted.

5 Having considered the issuance of a Certificate of Appealability from the order
6 denying Petitioner’s Petition for a Writ of Habeas Corpus, a Certificate of Appealability
7 and leave to proceed in forma pauperis on appeal are denied because dismissal of the
8 Petition is justified by a plain procedural bar.

9 IT IS FURTHER ORDERED that the Clerk of the Court enter judgment denying
10 and dismissing Petitioner’s Petition for Writ of Habeas Corpus filed pursuant to 28
11 U.S.C. § 2254 (Doc. 1) with prejudice. The Clerk shall terminate this action.

12 Dated this 2nd day of April, 2015.

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17 Neil V. Wake
18 United States District Judge
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