

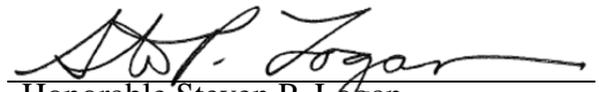


1 objected to.”). The Court has nonetheless reviewed the R&R and finds that it is well-  
2 taken. The Court will adopt the R&R and deny the amended petition. *See* 28 U.S.C. §  
3 636(b)(1) (stating that the district court “may accept, reject, or modify, in whole or in  
4 part, the findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3)  
5 (“The district judge may accept, reject, or modify the recommended disposition; receive  
6 further evidence; or return the matter to the magistrate judge with instructions.”).  
7 Accordingly,

8 **IT IS ORDERED:**

- 9 1. That Magistrate Judge Michelle H. Burn’s Report and Recommendation  
10 (Doc. 19) is **accepted** and **adopted** by the Court;
- 11 2. That the Amended Petition for Writ of Habeas Corpus pursuant to 28  
12 U.S.C. § 2254 (Doc. 7) is **denied** and **dismissed with prejudice**;
- 13 3. That a certificate of appealability and leave to proceed *in forma pauperis* on  
14 appeal are **denied**; and
- 15 4. That the Clerk of Court shall **terminate** this action.

16 Dated this 22nd day of October, 2015.

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18   
19 Honorable Steven P. Logan  
20 United States District Judge  
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