

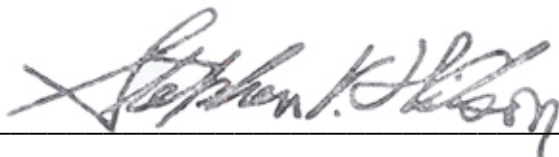
1 decision, “the only federal right at issue is procedural.” 131 S.Ct. 859, 862 (2011).
2 *See also Roberts v. Hartley*, 640 F.3d 1042, 1046 (9th Cir. 2011) (“[T]here is no
3 substantive due process right created by California’s parole scheme. If the state
4 affords the procedural protections required by *Greenholtz [v. Inmates of Nebraska*
5 *Penal and Correctional Complex*, 442 U.S. 1 (1979)] and *Cooke*, that is the end of
6 the matter for purposes of the Due Process Clause.”). Petitioner does not contend
7 that he was denied the requisite procedural protections. Thus, because it is clear
8 from the Petition and attachments that Petitioner is not entitled to relief, summary
9 dismissal is appropriate. *See Rules Governing § 2254 Cases*, Rule 4, 28 U.S.C.
10 foll. § 2254.

11 Accordingly, IT IS ORDERED THAT:

- 12 1. The Report and Recommendation is approved and adopted.
- 13 2. Judgment be entered dismissing this action with prejudice.
- 14 3. The Clerk serve copies of this Order and the Judgment on the parties.

15 Additionally, for the reasons stated in the Report and Recommendation, the
16 Court finds that Petitioner has not made a substantial showing of the denial of a
17 constitutional right. *See* 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b); *Miller-El v.*
18 *Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate
19 of appealability.

20
21
22 DATED: April 24, 2012



HON. STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE