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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHRISTOPHER GENE SUMMERS,)	CASE NO. CV 12-1648-VBF (PJW)
)	
Petitioner,)	
)	ORDER ACCEPTING REPORT AND
v.)	ADOPTING FINDINGS, CONCLUSIONS,
)	AND RECOMMENDATIONS OF UNITED
WARDEN QUINTANA,)	STATES MAGISTRATE JUDGE
)	
Respondent.)	
_____)	

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the records on file, and the Report and Recommendation of United States Magistrate Judge and has considered *de novo* the portions of the Report as to which objections have been filed. The Court accepts the Magistrate Judge’s Report and adopts it as its own findings and conclusions.

Further, to the extent that Petitioner is challenging his sentence, the Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right and, therefore, a certificate of appealability is denied. *See Porter v. Adams*, 244 F.3d 1006, 1007 (9th Cir. 2001) (holding petitioner who raises claims challenging the legality of his conviction or sentence, as opposed to the execution of his sentence, may not seek habeas relief under

1 section 2241 on appeal without a certificate of appealability); 28
2 U.S.C. § 2253(c)(2); Fed. R. App. P. 22(b).

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4 DATED: August 8, 2012 _____.

5
6 *Valerie Baker Fairbank*

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8 VALERIE BAKER FAIRBANK
9 UNITED STATES DISTRICT JUDGE
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