



1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **CENTRAL DISTRICT OF CALIFORNIA**  
8

9 JUAN CARLOS GONZALEZ  
10 SABINO,

11 Petitioner,

12 v.

13 DEPARTMENT OF HOMELAND  
14 SECURITY, *et al.*,

15 Respondents.  
16

Case No. CV 13-3529 JGB (JCG)

**ORDER ACCEPTING REPORT AND  
RECOMMENDATION OF UNITED  
STATES MAGISTRATE JUDGE AND  
DENYING CERTIFICATE OF  
APPEALABILITY**

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the Magistrate  
18 Judge’s Report and Recommendation, and the remaining record, and has made a *de*  
19 *novo* determination. No objections to the Report and Recommendation have been  
20 filed.

21 Accordingly, IT IS ORDERED THAT:

- 22 1. The Report and Recommendation is approved and accepted;  
23 2. Judgment be entered denying the Petition and dismissing this action  
24 without prejudice; and  
25 3. The Clerk serve copies of this Order on the parties.

26 Additionally, for the reasons stated in the Report and Recommendation, the  
27 Court finds that Petitioner has not made a substantial showing of the denial of a  
28 constitutional right. *See* 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v.*

1 *Cockrell*, 537 U.S. 322, 336 (2003). Thus, the Court declines to issue a certificate of  
2 appealability.

3  
4 DATED: August 22, 2014



---

6 HON. JESUS G. BERNAL  
7 UNITED STATES DISTRICT JUDGE  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28