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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHAD THOMAS RICHMOND,
Petitioner,
v.
CONNIE GIBSON, Warden,
Respondent.

NO. CV 14-6812-AG (AGR)

ORDER ACCEPTING FINDINGS
AND RECOMMENDATION OF
MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the other records on file herein, the Report and Recommendation of the United States Magistrate Judge ("Report") and the Objections. Further, the Court has engaged in a *de novo* review of those portions of the Report to which objections have been made.

Petitioner objects to the Report's conclusion that the Petition was untimely. Petitioner understandably focuses on his attorney's conduct, particularly in accepting \$25,000, filing only one state habeas petition and then failing to respond to Petitioner's repeated requests for his case files. The Report

1 concluded that Petitioner failed to show reasonable diligence during a period of
2 over two years between February 2010 and July 6, 2012, when Petitioner first
3 sent his attorney a letter requesting his criminal file. (Report at 18-19.)

4 Even assuming the Petition is timely, however, the Report alternatively
5 found that Petitioner was not entitled to habeas relief on the merits. Petitioner's
6 conclusory objections to this portion of the Report are without merit. The Court
7 accepts the findings and recommendation of the Magistrate Judge.

8 IT THEREFORE IS ORDERED that judgment be entered denying the
9 petition and dismissing this action with prejudice.

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12 DATED: July 30, 2017



ANDREW J. GUILFORD
United States District Judge