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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KENNY ANTWON BUCKNER,
Petitioner,
v.
W.L. MONTGOMERY, *Warden*,
Respondent.

Case No. LA CV 16-8471 JAK (JCG)
**ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the Magistrate Judge’s Report and Recommendation (“R&R”), and the remaining record, and has made a *de novo* determination. No objections to the Report and Recommendation have been filed.

Accordingly, IT IS ORDERED THAT:

1. The Report and Recommendation is approved and accepted;
2. Judgment be entered denying the Petition and dismissing this action with prejudice; and
3. The Clerk serve copies of this Order on the parties.

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

1 529 U.S. 473, 484 (2000). Thus, the Court declines to issue a certificate of
2 appealability.



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4 DATED: January 24, 2017_

5 HON. JOHN A. KRONSTADT
6 UNITED STATES DISTRICT JUDGE

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