



1 Accordingly, IT IS ORDERED THAT:

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

5 Additionally, for the reasons stated in the Report and Recommendation, the  
6 Court finds that Petitioner has not shown that “jurists of reason would find it debatable  
7 whether”: (1) “the petition states a valid claim of the denial of a constitutional right”;  
8 and (2) “the district court was correct in its procedural ruling.” *See Slack v. McDaniel*,  
9 529 U.S. 473, 484 (2000). Thus, the Court declines to issue a certificate of  
10 appealability.

11  
12 DATED: May 26, 2017



---

13 HON. DAVID O. CARTER  
14 UNITED STATES DISTRICT JUDGE  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28