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

RICHARD HAWORTH,  
Petitioner,  
v.  
PATRICIA V. BRADLEY, Warden,  
Respondent.

Case No. CV 20-07950-RGK (PD)

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION OF  
UNITED STATES  
MAGISTRATE JUDGE**

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. No objections to the Report and Recommendation have been filed. The Court accepts the Magistrate Judge's Report and adopts it as its own findings and conclusions.

As a federal prisoner proceeding under 28 U.S.C. § 2241, Petitioner is not required to obtain a certificate of appealability to appeal to the Ninth Circuit Court of Appeals in this case. *See Harrison v. Ollison*, 519 F.3d 952, 958 (9th Cir. 2008) (plain language of 28 U.S.C. § 2253(c)(1) does not require federal prisoners bringing section 2241 petitions to obtain a certificate of appealability to appeal, unless the section 2241 petition is a section 2255

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petition in disguise”). Accordingly, the Petition is dismissed without prejudice.

DATED: January 4, 2021



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R. GARY KLAUSNER  
UNITED STATES DISTRICT JUDGE