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

ISAAC MICHAEL CASTILLO,	)	Case No. EDCV 20-0346-JVS (JPR)
	)	
Petitioner,	)	ORDER ACCEPTING FINDINGS AND
	)	RECOMMENDATIONS OF U.S.
v.	)	MAGISTRATE JUDGE
	)	
JAMES ROBERTSON, Warden,	)	
	)	
Respondent.	)	
	)	
	)	

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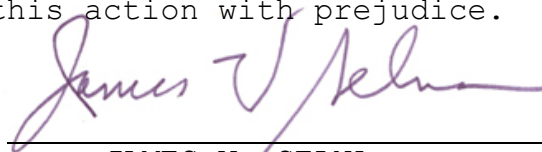
The Court has reviewed the Petition, records on file, and Report and Recommendation of U.S. Magistrate Judge, which recommends that judgment be entered denying the Petition and dismissing this action with prejudice. See 28 U.S.C. § 636(b)(1). On April 26, 2021, Petitioner filed Objections to the R. & R., in which he mostly simply repeats arguments from his Petition and Traverse; Respondent did not file a response.

Petitioner doesn't object at all to the Magistrate Judge's findings that the state court reasonably denied his claim that insufficient evidence supported his criminal-threats conviction (see R. & R. at 32-38) and that his unexhausted ineffective-assistance-of-counsel and sentencing claims aren't even colorable

1 and should therefore be denied on the merits (see id. at 38-45).  
2 He continues to argue, however, that his first-degree-murder  
3 conviction was based on insufficient evidence, insisting that the  
4 sole eyewitness's testimony was unreliable or supported his  
5 innocence. (See Objs. at 2-5.) But he concedes that the  
6 testimony of a single witness can be sufficient to prove a  
7 disputed fact (see id. at 3), and for the reasons discussed in  
8 the R. & R. (see R. & R. at 25-31), the eyewitness's  
9 identification testimony was sufficient to establish Petitioner's  
10 identity as the shooter and was amply corroborated by other  
11 evidence. And as the Magistrate Judge also recognized, the  
12 evidentiary weaknesses Petitioner highlights, including those  
13 involving the lineup<sup>1</sup> (see Objs. at 3-5), were presented to the  
14 jury, which nevertheless found that he was the shooter (see R. &  
15 R. at 29-31).

16 Having reviewed de novo those portions of the R. & R. to  
17 which Petitioner objects, the Court agrees with and accepts the  
18 findings and recommendations of the Magistrate Judge. IT  
19 THEREFORE IS ORDERED that judgment be entered denying the  
20 Petition and dismissing this action with prejudice.

21  
22 DATED: May 20, 2021



23 JAMES V. SELNA  
24 U.S. DISTRICT JUDGE

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25 <sup>1</sup> Despite Petitioner's insistence that the lineup was "faulty"  
26 (Objs. at 3), the Magistrate Judge correctly noted that he never  
27 raised a separate claim that the lineup was constitutionally  
28 deficient and that a reviewing court considering the evidence's  
sufficiency must consider all the evidence, properly admitted or  
not (see R. & R. at 29 n.6 (citing McDaniel v. Brown, 558 U.S. 120,  
131 (2010))).