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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ERNEST LEE ALLEN,

CV F 01-5994 LJO DLB HC

Petitioner,

ORDER ADOPTING FINDINGS AND
RECOMMENDATION, DENYING PETITION
FOR WRIT OF HABEAS CORPUS, AND
DIRECTING CLERK OF COURT TO ENTER
JUDGMENT IN FAVOR OF RESPONDENT

v.

ART CALDERON,

[Doc. 76]

Respondent.

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner is represented by Carolyn D. Phillips, Esq.

On November 19, 2008, the Magistrate Judge issued [Findings and Recommendation](#) that the Petition for Writ of Habeas Corpus be DENIED. This Findings and Recommendation was served on all parties and contained notice that any objections were to be filed within thirty (30) days of the date of service of the order.

On January 30, 2009, Petitioner filed timely [objections](#) to the Findings and Recommendation.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including Petitioner's objections, the Court concludes that the Magistrate Judge's Findings and Recommendation is supported by the record and proper analysis. Petitioner's objections present no grounds for questioning the Magistrate Judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation issued November 19, 2008, is ADOPTED IN FULL;
2. The Petition for Writ of Habeas Corpus is DENIED; and,
3. The Clerk of the Court is DIRECTED to enter judgment in favor of Respondent.

IT IS SO ORDERED.

Dated: February 5, 2009

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE