UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBIE HULL, Petitioner, v. JULIE WARD, Warden, Respondent. /	CV F 06-00715 LJO DLB HC ORDER ADOPTING FINDINGS AND RECOMMENDING; DENYING PETITION FOR WRIT OF HABEAS CORPUS; DIRECTING CLERK OF COURT TO ENTER JUDGMENT; AND DECLINING TO ISSUE CERTIFICATE OF APPEALABILITY [Doc. 18]

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On December 4, 2007, 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. Over thirty (30) days have passed and no party has filed objections.

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, the Court finds that the Findings and Recommendation is supported by the record and proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation issued December 4, 2007, is ADOPTED IN FULL;

2. The Petition for Writ of Habeas Corpus is DENIED;

3. The Clerk of the Court is DIRECTED to enter judgment for Respondent; and,

4. The court declines to issue a Certificate of Appealability. 28 U.S.C. § 2253(c); Slack v. McDaniel, 529 U.S. 473, 484 (2000) (a COA should be granted where the applicant has made "a substantial showing of the denial of a constitutional right," i.e., when "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong"; Hoffman v. Arave, 455 F.3d 926, 943 (9th Cir. 2006) (same). In the present case, the Court finds that reasonable jurists would not find it debatable that the state courts' decision denying Petitioner's petition for writ of habeas corpus were not "objectively unreasonable."

IT IS SO ORDERED.

Dated: February 3, 2008

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