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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TIMOTHY MATTOS,)	1:07-cv-01020-OWW-JMD-HC
)	
Petitioner,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATION [Doc. #14]
v.)	
)	ORDER DENYING PETITION FOR WRIT
D. SMITH, et al.,)	OF HABEAS CORPUS
)	
Respondents.)	ORDER DIRECTING CLERK OF COURT
)	TO ENTER JUDGMENT

Petitioner is a prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The Magistrate Judge issued a [Findings and Recommendation](#) on February 18, 2009, recommending that the petition for writ of habeas corpus be DENIED with prejudice. The Magistrate Judge further recommended that the Clerk of Court be DIRECTED to enter judgment. The 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. Petitioner did not submit objections to the Magistrate’s Findings and Recommendation within the thirty-day period set forth by the Court.

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.

///

1 Having carefully reviewed the entire file and having considered the objections, the Court concludes
2 that the Magistrate's Findings and Recommendation is supported by the record and proper analysis,
3 and there is no need to modify the Findings and Recommendation.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendation issued February 18, 2009, is ADOPTED IN FULL;
- 6 2. The Petition for Writ of Habeas Corpus is DENIED with prejudice;
- 7 3. The Clerk of Court is DIRECTED to enter judgment; and
- 8 4. A certificate of appealability is unnecessary. See Rosas v. Nielsen, 428 F.3d 1229, 1232
9 (9th Cir. 2005); White v. Lambert, 370 F.3d 1002, 1010-1011 (9th Cir. 2004)

10 IT IS SO ORDERED.

11 **Dated:** April 2, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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