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6 **UNITED STATES DISTRICT COURT**  
78 EASTERN DISTRICT OF CALIFORNIA  
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10 RONALD EDWARD GRAVES, JR.,

1:08-cv-00792 LJO DLB HC

11 v. Petitioner,

12 JAMES D. HARTLEY, ORDER ADOPTING FINDINGS AND  
13 Respondent. RECOMMENDATION, DENYING PETITION  
14 \_\_\_\_\_ / [Doc. 12] FOR WRIT OF HABEAS CORPUS,  
15 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus  
16 pursuant to 28 U.S.C. § 2254.  
17 On December 12, 2008, the Magistrate Judge issued [Findings and Recommendation](#)  
18 that the Petition for Writ of Habeas Corpus be DENIED. This Findings and Recommendation  
19 was served on all parties and contained notice that any objections were to be filed within thirty  
20 (30) days of the date of service of the order.  
21 On January 16, 2009, Petitioner filed “Objections to Respondent’s Arguments,” which  
22 the Court construes as [objections](#) to the Findings and Recommendation. (Court Doc. 13.)  
23 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted  
24 a *de novo* review of the case. Having carefully reviewed the entire file, including Petitioner’s  
25 objections, the Court concludes that the Magistrate Judge’s Findings and Recommendation is  
26 supported by the record and proper analysis. Petitioner’s objections present no grounds for  
27 questioning the Magistrate Judge’s analysis.  
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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The Findings and Recommendation issued December 12, 2008, is ADOPTED IN  
3 FULL;

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

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

6 4. The court declines to issue a Certificate of Appealability. 28 U.S.C. § 2253(c);  
7 Slack v. McDaniel, 529 U.S. 473, 484 (2000) (a COA should be granted where  
8 the applicant has made “a substantial showing of the denial of a constitutional  
9 right,” i.e., when “reasonable jurists would find the district court’s assessment of  
10 the constitutional claims debatable or wrong”; Hoffman v. Arave, 455 F.3d 926,  
11 943 (9<sup>th</sup> Cir. 2006) (same). In the present case, the Court finds that reasonable  
12 jurists would not find it debatable that the state courts’ decision denying  
13 Petitioner’s petition for writ of habeas corpus were not “objectively  
14 unreasonable.”

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18 IT IS SO ORDERED.

19 Dated: January 26, 2009

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