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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JESSE T. MOTEN,)	1:08-cv-01121 LJO-TAG (HC)
)	
Petitioner,)	ORDER ADOPTING FINDINGS AND
)	RECOMMENDATIONS (Doc. 10)
v.)	
J. KAVANAUGH,)	ORDER DISMISSING PETITION FOR WRIT
)	OF HABEAS CORPUS (Doc. 1)
Respondent.)	ORDER DIRECTING CLERK OF COURT TO
)	ENTER JUDGMENT

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

On October 15, 2008, the Magistrate Judge assigned to the case filed Findings and Recommendations recommending that the petition for writ of habeas corpus be dismissed because the petition does not allege grounds that would entitle Petitioner to habeas corpus relief. ([Doc. 10](#)). The Findings and Recommendations were served on Petitioner and contained notice that any objections were to be filed within twenty days from the date of service of that order. On November 10, 2008, Petitioner filed objections to the Magistrate Judge's Findings and Recommendations. ([Doc. 11](#)).

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 Recommendations are supported by the record and proper analysis. Petitioner's objections present no grounds for

1 questioning the Magistrate Judge's analysis.

2 ORDER

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The Findings and Recommendations filed October 15, 2008 (Doc. 10), are ADOPTED IN
5 FULL;
6 2. The petition for writ of habeas corpus (Doc. 1) is DISMISSED; and
7 3. The Clerk of Court is DIRECTED to ENTER JUDGMENT for Respondent and close the
8 file.

9 This order terminates the action in its entirety. Because Petitioner is challenging an
10 administrative order of the California Department of Corrections and Rehabilitation after a prison
11 disciplinary hearing that did not result in the loss of any credits, no certificate of appealability is
12 required. White v. Lambert, 370 F.3d 1002, 1010 (9th Cir. 2004); see 28 U.S.C. § 2253(c)(1)(A).

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15 IT IS SO ORDERED.

16 **Dated:** February 4, 2009

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

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