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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

WILLIE McDADE,

1:09-cv-00059-LJO DLB (HC)

Petitioner,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATION, DISMISSING  
PETITION FOR WRIT OF HABEAS CORPUS  
WITHOUT PREJUDICE, AND DIRECTING  
CLERK OF COURT TO TERMINATE  
ACTION

v.

LYDIA HENSE,

Respondent.

[Doc. 13]

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

On November 16, 2009, the Magistrate Judge issued Findings and Recommendation that the Petition for Writ of Habeas Corpus be DISMISSED for failure to exhaust the administrative remedies. 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.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation issued November 16, 2009, is ADOPTED IN FULL;
2. The Petition for Writ of Habeas Corpus is DISMISSED without prejudice; and
3. The Clerk of the Court is DIRECTED to close this action. This terminates this action in its entirety.

IT IS SO ORDERED.

**Dated:** April 15, 2010

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