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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT GONZALES GALVAN,

1:10-cv-00251-LJO-DLB (HC)

Petitioner,

ORDER ADOPTING FINDINGS AND
RECOMMENDATION, DISMISSING CLAIM
TWO FROM PETITION, AND REFERRING
MATTER BACK TO MAGISTRATE JUDGE
FOR FURTHER PROCEEDINGS

v.

DERRAL ADAMS,

[Doc. 6]

Respondent.

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

On March 17, 2010, the Magistrate Judge issued Findings and Recommendation to dismissing Claim One from the Petition for failure to state a cognizable claim. 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.

On March 25, 2010, Petitioner filed timely objections to the Findings and Recommendation. (Court Doc. 7.)

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 Recommendation is supported by the record and proper analysis. Petitioner's objections present no grounds for questioning the Magistrate Judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

- 1. The Findings and Recommendation issued March 17, 2010, is ADOPTED IN FULL;
- 2. Claim Two of the instant Petition is DISMISSED for failure to state a cognizable claim; and
- 3. The matter is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Dated: April 14, 2010

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