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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALLEN C. THOMPSON,

Petitioner,

v.

RICK HILL, Warden,

Respondent.

Case No. 1:13-cv-02094-LJO-SKO HC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
DENIAL OF PETITIONER’S MOTION FOR
RECONSIDERATION

(Doc. 18)

Petitioner is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court referred the matter to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 304.

On July 8, 2014, the Magistrate Judge filed findings and recommendations in which she recommended that the Court dismiss the petition as untimely. The findings and recommendations, which were served on the parties on the same date, provided that objections could be served within thirty days. On August 4, 2014, Petitioner filed objections. On August 27, 2014, after reviewing Petitioner’s objections, the record as a whole, and applicable law, the Court adopted the findings and recommendations and granted Respondent’s motion to dismiss the petition. The Clerk of Court entered judgment for Respondent.

On February 24, 2015, Petitioner filed a document entitled “Objections to Findings and Recommendations.” Following review of the document, the Magistrate Judge determined that its substance indicated that Petitioner intended to seek reconsideration of the dismissal of his petition. Accordingly, the Magistrate Judge ordered that the caption, “Objections to Findings and

1 Recommendations” be disregarded. The Magistrate Judge then analyzed the document as a motion
2 for reconsideration and determined that Petitioner alleged no basis by which the Court could grant
3 relief.

4 Accordingly, on March 16, 2015, the Magistrate Judge filed findings and recommendations
5 recommending that the Court deny the motion for reconsideration. The findings and
6 recommendations, which were served on the parties on the same date, provided that objections could
7 be served within thirty days. Neither party filed objections.

8 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), having carefully reviewed the
9 entire file *de novo* and considered Petitioner's objections, the Court finds that the findings and
10 recommendations are supported by the record and proper analysis.

11 Accordingly, the Court hereby ORDERS that the findings and recommendations filed March
12 16, 2015, be adopted in full, and the motion for reconsideration be denied. The Court DECLINES to
13 issue a certificate of appealability.
14 IT IS SO ORDERED.

15 Dated: September 15, 2016

/s/ Lawrence J. O’Neill
UNITED STATES CHIEF DISTRICT JUDGE