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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES PAYNE,
Petitioner,
v.
AUDREY KING, Executive Director of
Coalinga State Hospital,
Respondent.

Case No. 1:14-cv-00538-LJO-BAM HC
ORDER ADOPTING THE
RECOMMENDATION THAT THE COURT
CONVERT THE PETITION FOR HABEAS
CORPUS BROUGHT UNDER
28 U.S.C. § 2241 TO A PETITION UNDER
28 U.S.C. § 2254
(Doc. 29)

Petitioner, a state prisoner proceeding *pro se* and *in forma pauperis*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. 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 22, 2015, the Magistrate Judge filed findings and recommendations in which she recommended that the Court convert the petition to one brought pursuant to 28 U.S.C. § 2254, the statutory section generally applicable to habeas petitions brought by state prisoners. The findings and recommendations, which were served on all parties on the same date, provided that objections could be served within thirty days and replies within fourteen days after the filing of any objections. Neither party filed objections.

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

