

1 de novo review of the case. Having carefully reviewed the entire file, the Court concludes that
2 the Magistrate Judge's Findings and Recommendations are supported by the record and proper
3 analysis.

4 The plain language of 28 U.S.C. § 2253(c)(1) does not require a certificate of
5 appealability because this is an appeal from an order denying a petition for writ of habeas corpus
6 pursuant to 28 U.S.C. § 2241, not a final order in a habeas proceeding in which the detention
7 complained of arises out of process issued by a State court. *Forde v. U.S. Parole Commission*,
8 114 F.3d 878 (9th Cir. 1997); *see Ojo v. INS*, 106 F.3d 680, 681-682 (5th Cir. 1997); *Bradshaw v.*
9 *Story*, 86 F.3d 164, 166 (10th Cir. 1996).

10 Accordingly, the Court orders as follows:

- 11 1. The Findings and Recommendations, filed April 5, 2021 (Doc. No. 6), are
12 ADOPTED IN FULL;
- 13 2. The petition for writ of habeas corpus is DISMISSED;
- 14 3. The Clerk of Court is DIRECTED to ENTER JUDGMENT and close the file; and,
- 15 4. No certificate of appealability is required.

16 This order terminates the action in its entirety.

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18 IT IS SO ORDERED.

19 Dated: April 20, 2021


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SENIOR DISTRICT JUDGE