

1 According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of this case.
2 Having carefully reviewed the entire matter, this Court concludes the Findings and Recommendations
3 are supported by the record and by proper analysis. Petitioner had until April 24, 1997, to file a timely
4 federal habeas petition. *See Patterson v. Stewart*, 251 F.3d 1243, 1245-46 (9th Cir. 2001) (state
5 prisoners had a one-year grace period in the absence of tolling to file their habeas petitions following
6 the enactment of the Antiterrorism and Effective Death Penalty Act of 1996). Petitioner filed his
7 petition nearly 24 years after any petition should have been filed and failed to show he was entitled to
8 statutory or equitable tolling. Thus, the Court **ORDERS**:

- 9 1. The Findings and Recommendations issued on September 28, 2022 (Doc. 20) are
10 **ADOPTED** in full.
- 11 2. Respondent's motion to dismiss (Doc. 18) is **GRANTED**.
- 12 3. The petition for writ of habeas corpus (Doc. 1) is **DISMISSED** as untimely.
- 13 4. The Clerk of Court is directed to close this case.

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15 IT IS SO ORDERED.

16 Dated: November 17, 2022

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18 UNITED STATES DISTRICT JUDGE