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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	JOEL VALERA,	No. 1:22-cv-00852-ADA-CDB
12	Petitioner,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS DISMISSING
13	v.	WITHOUT PREJUDICE PETITIONER'S PETITION FOR WRIT OF HABEAS CORPUS
14	PEOPLE OF THE STATE OF CALIFORNIA,	(ECF No. 13)
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16	Respondent.	
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18	Petitioner Joel Valera is a state prisoner proceeding pro se and in forma pauperis with a	
19	petition for writ of habeas corpus under 28 U.S.C. § 2254. (ECF No. 1.) This matter was referred	
20	to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
21	On November 2, 2022, the assigned Magistrate Judge determined the petition failed to	
22	name a proper respondent, to show exhaustion of state remedies, and to show the petition was	
23	within the applicable statute of limitations; the Court ordered Petitioner to file an amended	
24	petition curing the deficiencies. (ECF No. 9.) On November 23, 2022, Petitioner filed the	
25	amended petition. (ECF No. 10.) Upon review of the amended petition on December 19, 2022,	
26	the assigned Magistrate Judge determined it failed to cure all stated deficiencies and issued an	
27	order to show cause why the petition should n	ot be dismissed. (ECF No. 11.) The Magistrate
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1	Judge cautioned Petitioner that failure to comply may result in an order of dismissal or a	
2	recommendation that the petition be dismissed pursuant to Local Rule 110. (Id. at 2–3.)	
3	Petitioner did not respond. On February 9, 2023, the assigned Magistrate Judge issued an order	
4	providing Petitioner an additional 30 days to respond to the order to show cause. (ECF No. 12.)	
5	Petitioner did not respond. <sup>1</sup>	
6	On March 16, 2023, the assigned Magistrate Judge issued findings and recommendations	
7	recommending that this action be dismissed without prejudice for failure to prosecute and failure	
8	to comply with a court order. (ECF No. 13.) The findings and recommendations were served on	
9	Petitioner and contained notice that any objections thereto were to be filed within twenty-one (21)	
10	days of service. (Id.) Petitioner did not file objections, and the deadline to do so has passed.	
11	Pursuant to 28 U.S.C. § 636(b)(1)(C), and Local Rule 304, this Court conducted a <i>de novo</i>	
12	review of this case. Having carefully reviewed the entire matter, this Court concludes the	
13	findings and recommendations are supported by the record and by proper analysis.	
14	Accordingly,	
15	1. The findings and recommendations issued on March 16, 2023 (ECF No. 13), are adopted	
16	in full;	
17	2. The petition (ECF No. 1) is dismissed without prejudice; and	
18	3. The Clerk of Court is directed to close this case.	
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21	IT IS SO ORDERED.	
22	Dated: <u>May 30, 2023</u> UNITED STATES DISTRICT JUDGE	
23	UNITED PTATES DISTRICT JUDGE	
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27	<sup>1</sup> On February 3, 2023, the assigned Magistrate Judge received notice Petitioner's address changed pursuant to a new	
28	case Petitioner filed on January 31, 2023. <i>See</i> Docket. Petitioner did not file a Notice of Change of Address with this Court as is required by Local Rule 182(f).	