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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK D. FOLEY,

Petitioner,

No. 2:01-cv-0714 MCE JFM P

vs.

JAMES ROWLAND, et al.,

Respondents.

ORDER

_____/

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 12, 2012, the magistrate judge filed findings and recommendations herein (ECF No. 38) which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.


In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 304, this Court has conducted a de novo review of this case. The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed September 12, 2012, (ECF No. 38) are ADOPTED IN FULL; and

2. Petitioner's July 10, 2011, motion for relief from judgment (ECF No. 28) is DENIED.

Dated: September 28, 2012


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE