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

RAYMOND EDWARD STEELE,

Petitioner,

No. CIV S-03-0143 GEB KJM

vs.

ROBERT L. AYERS, Jr.,
Warden of San Quentin
State Prison,

Respondent.

ORDER

On July 14, 2010, the magistrate judge filed findings and recommendations herein 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 twenty-one days. Several extensions of time were granted. Objections to the findings and recommendations have been filed.

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. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

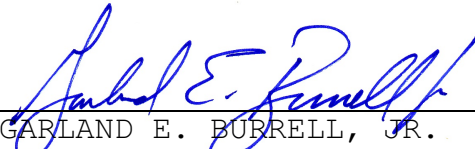
Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed July 14, 2010, are adopted in full;
2. Petitioner’s September 23, 2008 Motion to Strike is granted in part and denied in part as follows. The defenses based on Teague v. Lane, 489 U.S. 288 (1989), asserted by respondent in the Answer with respect to claims 4, 6, 29, 40.C.1, 40.C.8, 40.D, 40.E, 41.G, 41.M,

1 44, 45, 46, 55 are stricken from the Answer. Petitioner's Motion to Strike is denied in all other
2 respects; and

3 3. Respondent's request that the court find petitioner's claims 3, 5, 6, 20, 21, 23,
4 25, 29, 30, 31, 32, 37, 38, 41, 42, 44, 46, 65, and 66 barred as procedurally defaulted is denied.

5 Dated: November 10, 2010

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9 GARLAND E. BURRELL, JR.
10 United States District Judge
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