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

SHABONDY LAMAR SIMPSON,,

Petitioner,

No. CIV S-08-2764 FCD KJM P

vs.

M.C. KRAMER, Warden,

Respondent.

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 General Order No. 262.

On September 28, 2009, 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 days. Neither party has filed objections to the findings and recommendations.

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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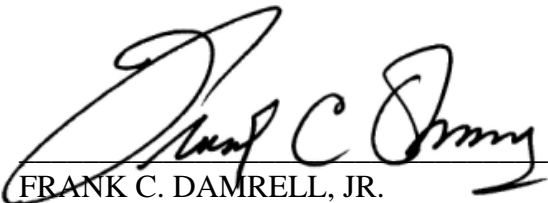
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1. The findings and recommendations filed September 28, 2009, are adopted in full; and

2. The Clerk of the Court is directed to remove the petition filed in this case on November 18, 2008 and refile it in Case No. Civ. S-05-0640 JAM DAD P, making an adjustment in the assignment of cases to compensate for the resulting change in assigned judges; and

3. This case is closed.

DATED: January 14, 2010.


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE