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

BRANDON R. FLEEMAN,

No. CIV S-06-0652-FCD-CMK-P

Petitioner,

vs.

ORDER

ROY CASTRO, Warden,

Respondent.

_____ /

Petitioner, a state prisoner proceeding with retained counsel,¹ brings this petition 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 Eastern District of California local rules.

On January 6, 2009, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. Timely objections to the findings and recommendations have been filed.

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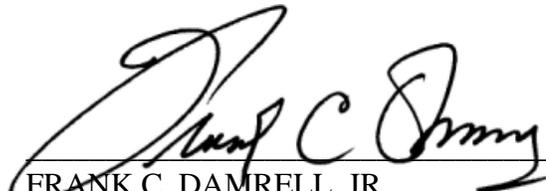
¹ The findings and recommendations issued on January 6, 2009, incorrectly state that petitioner is proceeding pro se.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the
3 entire file, the court finds the findings and recommendations to be supported by the record and
4 by proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed January 6, 2009, are adopted in
7 full;
- 8 2. Petitioner's petition for a writ of habeas corpus (Doc. 1) is denied; and
- 9 3. The Clerk of the Court is directed to enter judgment and close this file.

10 DATED: January 23, 2009.

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13 FRANK C. DAMRELL, JR.
14 UNITED STATES DISTRICT JUDGE
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