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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ROBERT GODDARD,  
Petitioner,  
v.  
SCOTT K. KERNAN, Warden, *et al.*,  
Respondents.

NO. CV-06-2747-JPH

**ORDER ADOPTING REPORT  
AND RECOMMENDATION TO  
DENY WRIT OF HABEAS  
CORPUS**

On February 3, 2009, Magistrate Judge Hutton entered a Report and Recommendation, recommending that Petitioner’s Petition Under 28 U.S.C. § 2254 For Writ of Habeas Corpus by a Person in State Custody (Ct. Rec. 1) be denied (Ct. Rec. 26). On February 12, 2009, Petitioner filed objections to the Magistrate Judge’s report (Ct. Rec. 27). Petitioner’s objections reargue the same issues raised in the petition and reply, issues considered and rejected by the Magistrate Judge.

Having reviewed the Report and Recommendation and the files and records herein, the Court adopts the Magistrate Judge’s Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Report and Recommendation to Deny Writ of Habeas Corpus (Ct. Rec. 26) is **ADOPTED**, in its entirety.
2. Petitioner’s Petitioner under 28 U.S.C. § 2254 For Writ of Habeas

1 Corpus by a Person in State Custody (Ct. Rec. 1) is **DENIED**.

2 3. Judgment is entered in favor of Respondent and against Petitioner.

3 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
4 Order, forward copies to Petitioner and counsel, and close the file.

5 **DATED** this 9<sup>th</sup> day of April, 2009.

6 *S/ Robert H. Whaley*

7 **ROBERT H. WHALEY**  
8 United States District Judge

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