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

JACK BRENE KIRCH,  
Petitioner,

No. 2:07-cv-00928-MCE-CMK-P

vs.

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

I.D. CLAY,  
Respondent.

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding pro se, 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 December 27, 2007, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within 20 days. Timely objections to the findings and recommendations have been filed.


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

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed December 27, 2007 (Doc. 13), are  
7 adopted in full;
- 8 2. Defendant's motion to dismiss (Doc. 10) is granted;
- 9 3. The Clerk of the Court is directed to enter judgment and close this file.

10 Dated: February 1, 2008

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13 MORRISON C. ENGLAND, JR.  
14 UNITED STATES DISTRICT JUDGE  
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