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

UNITED STATES OF AMERICA,

Respondent,

2:03-cr-0215-WBS-KJM-P

vs.

DAVID RAPHAEL KING,

Movant.

ORDER

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Movant, a federal prisoner proceeding pro se, has filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. 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.

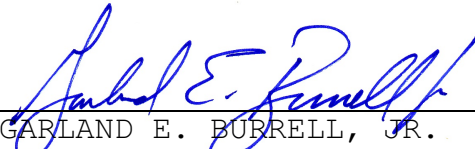
On May 12, 2009, the magistrate judge filed findings and recommendations herein which were served on movant and which contained notice to movant that he could file objections. The time for filing objections has passed and movant has not filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 12, 2009, are adopted in full;
2. Movant's 28 U.S.C. § 2255 (#309) motion is denied; and
3. The Clerk of the Court is directed to close the companion civil case

CIV S-08-0235 GEB (HC).

Dated: October 27, 2009

  
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GARLAND E. BURRELL, JR.  
United States District Judge