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

JONATHAN CROMP,

Petitioner,

No. S:08-cv-1822 JAM KJN P

vs.

KEN CLARK, Warden,

Respondent.

ORDER

_____ /

On May 2, 2011, the court adopted in full the magistrate judge’s findings and recommendations, filed March 17, 2011, recommending the petition for writ of habeas corpus be denied. The habeas petition was denied, noting no timely objections were filed, and judgment was entered.

On April 28, 2011, petitioner’s objections were filed on the court’s docket. Petitioner signed these objections on April 12, 2011, rendering them timely-filed under the mailbox rule. See Houston v. Lack, 487 U.S. 266, 275-76 (1988) (pro se prisoner filing is dated from the date prisoner delivers it to prison authorities).

Accordingly, the May 2, 2011 order and judgment are vacated.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire

1 file and petitioner's objections to the findings and recommendations, the court finds the March
2 17, 2011 findings and recommendations to be supported by the record and by proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The court's May 2, 2011 order (dkt. no. 30) and judgment (dkt. no. 31) are
5 vacated;

6 2. The findings and recommendations filed March 17, 2011 (dkt. no. 28) are
7 adopted in full;

8 3. Petitioner's application for a writ of habeas corpus is denied.

9 4. The court declines to issue the certificate of appealability referenced in 28
10 U.S.C. § 2253.

11 DATED: September 19, 2011

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13 /s/ John A. Mendez
14 UNITED STATES DISTRICT JUDGE
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