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

10 TYSON JOIEL SUGGS,

11 Petitioner,

No. CIV S-08-2159 MCE KJM P

12 vs.

13 PEOPLE OF THE STATE OF  
14 CALIFORNIA,

15 Respondent.

ORDER

16 \_\_\_\_\_/  
17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of  
18 habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States  
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

20 On October 23, 2008, the magistrate judge filed findings and recommendations  
21 herein which were served on petitioner and which contained notice to petitioner that any  
22 objections to the findings and recommendations were to be filed within twenty days. Petitioner  
23 has not filed objections to the findings and recommendations.


24 The court has reviewed the file and finds the findings and recommendations to be  
25 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY  
26 ORDERED that:

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1                   1. The findings and recommendations filed October 23, 2008, are adopted in full;  
2 and

3                   2. Petitioner's application for a writ of habeas corpus is dismissed for failure to  
4 exhaust state remedies.

5 Dated: January 9, 2009

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8 MORRISON C. ENGLAND, JR.  
9 UNITED STATES DISTRICT JUDGE  
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