

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

FRANCISCO JAVIER CARRANZA,

Petitioner,

No. CIV S-08-2479 MCE KJM P

vs.

JAMES WALKER

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner, a state prisoner proceeding pro se, has filed an application 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 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On May 13, 2009, the magistrate judge filed findings and recommendations herein which were served on petitioner. Petitioner 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 magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

////


////

1           1. The findings and recommendations filed May 13, 2009, are adopted in full;  
2           2. Petitioner's motion for a stay (Docket No. 8) is denied;  
3           3. The claims identified as claims 5 and 6 in petitioner's petition for writ of  
4 habeas corpus are dismissed for failure to exhaust state court remedies;

5           4. Respondent is directed to file his response to claims 1-4 in petitioner's  
6 application for writ of habeas corpus within thirty days; and

7           5. The Clerk of the Court shall serve a copy of this order together with a copy of  
8 petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on Michael  
9 Patrick Farrell, Senior Assistant Attorney General.

10 Dated: July 16, 2009

11   
12 \_\_\_\_\_  
13 MORRISON C. ENGLAND, JR.  
14 UNITED STATES DISTRICT JUDGE  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26