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

CHARLES BRANCH,

Petitioner,

No. CIV S-08-CV-2761 JAM CHS P

vs.

JAMES A. YATES,

Respondent.

ORDER

_____/

Petitioner, Charles Branch, is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner is currently serving an indeterminate sentence of fifty years to life following his convictions by jury trial in the Solano County Superior Court, Case No. FCR215293, for first degree murder with a penalty enhancement for personally and intentionally discharging a firearm to cause death. With his petition, Petitioner presents various claims challenging the constitutionality of his conviction.

The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On November 8, 2010, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days.

1 Neither party has filed objections to the findings and recommendations.¹

2 The court has reviewed the file and finds the findings and recommendations to be
3 supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY
4 ORDERED that:

- 5 1. The findings and recommendations filed November 8, 2010 are adopted in full.
- 6 2. The petition for writ of habeas corpus is DENIED.

7 DATED: January 27, 2011

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/s/ John A. Mendez
UNITED STATES DISTRICT JUDGE

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24 ¹ On December 2, 2010, Petitioner filed a document entitled “Objections to Findings and
25 Recommendations.” The substance of this document, however, was a request for an extension of
26 time in which to file Petitioner’s objections to the magistrate judge’s findings and
recommendations, which was granted, and a request for the appointment of counsel, which was
denied. Petitioner failed to file his objections in compliance with the extended deadline.