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

LAMON E. JACKSON,

Petitioner,

No. 2:08-cv-2875 FCD JFM (HC)

vs.

D.K. SISTO, Warden,

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 26, 2009, 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 days. Neither party has 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:

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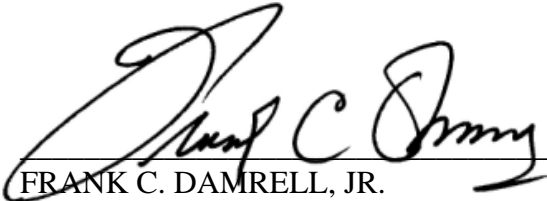
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1. The findings and recommendations filed May 26, 2009, are adopted in full;

and

2. Respondent's January 30, 2009 motion to dismiss this petition as successive is granted and this action is dismissed without prejudice.

DATED: July 13, 2009.


FRANK C. DAMRELL, JR.
UNITED STATES DISTRICT JUDGE