

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

LUIS CARDENAS OROSCO,

Petitioner,

No. CIV S-08-3075-JAM-TJB

vs.

D. K. SISTO,

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 Rule 302.

On November 29, 2010, the magistrate judge filed an order, findings and recommendations herein, which was 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. 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.

///

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

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 29, 2010, are adopted in full;
2. Petitioner’s application for writ of habeas corpus is DENIED;
3. Petitioner’s claim for declaratory and injunctive relief is DENIED;
4. The Clerk is directed to close the case; and
5. The court declines to issue a certificate of appealability.

DATED: January 27, 2011

/s/ John A. Mendez  
UNITED STATES DISTRICT JUDGE