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

10 GREGORY JAMES CARTER,

11 Petitioner,

No. CIV S-09-0697 WBS KJM P

12 vs.

13 J. HAVILAND,

14 Respondent.

ORDER

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

19 On March 19, 2009, the magistrate judge filed findings and recommendations  
20 herein which were served on petitioner and which contained notice to petitioner that any  
21 objections to the findings and recommendations were to be filed within twenty days. Petitioner  
22 has filed objections to the findings and recommendations.

23 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-  
24 304, this court has conducted a de novo review of this case. Having carefully reviewed the  
25 entire file, the court finds the findings and recommendations to be supported by the record and  
26 by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed March 19, 2009, are adopted in full;

and

2. This action is dismissed without prejudice.

DATED: April 1, 2009



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE

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