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

10 MICHAEL ROBERT COFFIN,

11 Petitioner,

No. 2:10-cv-26 JAM EFB P

12 vs.

13 MATTHEW CATE,

14 Respondent.

ORDER

15 _____/
16 Petitioner, a state prisoner proceeding with counsel, has filed this application for a
17 writ of 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 Rule 302.

19 On January 15, 2013, the magistrate judge filed findings and recommendations
20 herein which were served on all parties and which contained notice to all parties that any
21 objections to the findings and recommendations were to be filed within fourteen days.
22 Respondent has filed objections to the findings and recommendations and petitioner has filed a
23 response thereto.

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

1 proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed January 15, 2013, are adopted in full;

4 2. Respondent's motion to dismiss (Dckt. No. 36) is denied; and

5 3. Respondent is directed to file an answer to the petition within 60 days.

6 DATED: April 1, 2013

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8 /s/ John A. Mendez
9 UNITED STATES DISTRICT COURT JUDGE
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