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

CHARLES H. CARR, JR.,

No. 2:10-cv-1778 MCE JFM (HC)

Petitioner,

vs.

ORDER

MATTHEW CATE,

Respondent.

_____ /

Petitioner is a state prisoner proceeding through counsel with 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 June 6, 2011, 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 fourteen days. Respondent has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a de novo review of this case.

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1 Having carefully reviewed the entire file, the court finds the findings and recommendations to be
2 supported by the record and by proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:


4 1. The findings and recommendations filed June 6, 2011 (ECF No. 21), are ADOPTED
5 in full;

6 2. Respondent's September 21, 2010 motion for stay (ECF no. 10) is DENIED;

7 3. Respondent is directed to answer the petition within thirty days from the date
8 of any order by the district court adopting these findings and recommendations, see Rule 4, Rules
9 Governing Section 2254 Cases, and to include with the answer any and all transcripts or other
10 documents relevant to the determination of the issues presented in the application. Rule 5, Rules
11 Governing Section 2254 Cases; and

12 4. Petitioner's traverse, if any, is due on or before thirty days from the date
13 respondent's answer is filed.

14 Dated: July 19, 2011

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17 MORRISON C. ENGLAND, JR.
18 UNITED STATES DISTRICT JUDGE
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