

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

KUNTA ALLAH MUWWAKIL

Petitioner,

No. CIV S-10-1877 MCE CMK (TEMP) P

vs.

R.B. IVES,

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 February 3, 2011, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within twenty-one days. Petitioner has not 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:

////

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

1. The findings and recommendations filed February 3, 2011, are adopted in full;


2. Petitioner’s “application under 28 U.S.C. § 2241 for a writ of habeas corpus by a person in state or federal custody” construed as a motion made pursuant to 28 U.S.C. § 2255 is dismissed;

3. The clerk is ordered to close the case; and

4. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

IT IS SO ORDERED.

Dated: March 9, 2011

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE