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

JAMES D. HALLER,

Petitioner,

No. CIV S-10-3446 WBS DAD P

vs.

WARDEN BITER,

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.

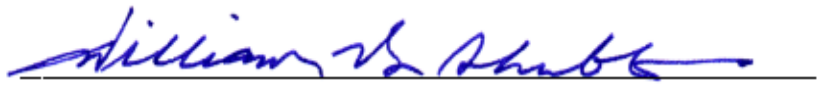
On August 2, 2011, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within twenty-one days. On September 2, 2011, the court granted petitioner a sixty-day extension of time to file objections. 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:

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1. The findings and recommendations filed August 2, 2011, are adopted in full;
 2. Petitioner's renewed motion for a stay and abeyance (Doc. No. 10) is denied;
- and
3. This matter be referred back to the assigned magistrate judge for further proceedings on petitioner's original petition for writ of habeas corpus.

DATED: November 10, 2011



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE