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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Respondent,  
v.  
STEPHEN M. KRAUT,  
Petitioner.

No. 2:09-cr-0201 WBS AC  
2:13-cv-0512 WBS AC

ORDER

Petitioner is a federal prisoner proceeding in pro per with a motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255. 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 October 31, 2014, 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 twenty-one days. Petitioner 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. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.


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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 31, 2014, are adopted in full; and
2. Petitioner Stephen M. Kraut’s motion under 28 U.S.C. § 2255 is DISMISSED.
3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

Dated: December 24, 2014

  
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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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