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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH A. SHARANOFF,
Petitioner,
v.
WARDEN,
Respondent.

No. 2:13-cv-00794-TLN-AC-P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed this 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 September 3, 2014, the magistrate judge filed findings and recommendations herein, which were served on all parties and 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, as well as a “Personal Note.”

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.

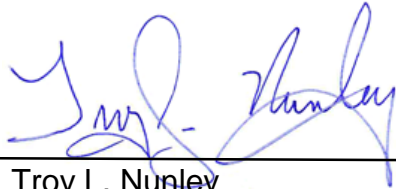
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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 3, 2014 (ECF No. 36), are adopted in full;
2. Petitioner's motions for a stay (ECF Nos. 19, 22) are denied;
3. Petitioner's amended federal habeas petitions (ECF No. 21, 24) are stricken from the docket;
4. Petitioner is directed to file, within 28 days, either: 1) a notice that he elects to delete the unexhausted claims and proceed on the merits of his remaining exhausted claims in the original § 2254 petition; or 2) a notice of voluntary dismissal of this case without prejudice;
5. In the event that Petitioner fails to elect either option identified above within the time provided, the claims identified herein as unexhausted will be stricken and those portions of the petition disregarded for all purposes. The case will then be deemed submitted on the basis of the petition as amended by operation of this order; and
6. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

Dated: October 30, 2014



Troy L. Nunley
United States District Judge