

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID ALVARADO.

No. 2:15-cv-1197 MCE CKD P

Petitioner.

## ORDER

PEOPLE OF THE STATE OF  
CALIFORNIA,

### Respondent.

On June 15, 2015, the undersigned magistrate judge recommended that the petition be summarily dismissed, and directed the assignment of a district judge to review this recommendation. (ECF No. 9.) Since that time, petitioner has filed a notice of consent to the jurisdiction of the undersigned magistrate judge for all purposes. 28 U.S.C. §636(c); Local Rule 302. (ECF No. 10.) As no respondent has been served, petitioner is the only party to this action. Having reviewed the docket, the undersigned concludes there is no basis for modifying its prior conclusion that this action should be dismissed.

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court is directed to: (a) redesignate the undersigned's findings and recommendations filed June 15, 2015 as an order; and (b) withdraw the assignment of a district judge to this action; and

1           2. For the reasons stated in this court's order filed June 15, 2015, this action is summarily  
2 dismissed pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254.

3           Dated: June 24, 2015

*Carolyn K. Delaney*

4           CAROLYN K. DELANEY  
5           UNITED STATES MAGISTRATE JUDGE

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