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, 8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	ROBERT C. TURNER,	No. 2:15-cv-2356 WBS CKD P
12	Petitioner,	
13	v.	ORDER
14	BRIAN DUFFY,	
15	Respondent.	
16		
17	Petitioner is a California prisoner proc	ceeding through counsel with an application for a
18	writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States	
19	Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On April 17, 2017, the magistrate judge filed findings and recommendations herein which	
21	were served on all parties and which contained notice to all parties that any objections to the	
22	findings and recommendations were to be filed within fourteen days. Neither party has filed	
23	objections to the findings and recommendations.	
24	The court presumes that any findings of fact are correct. See Orand v. United States, 602	
25	F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.	
26	See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having	
27	reviewed the file, the court finds the findings and recommendations to be supported by the record	
28	and by the magistrate judge's analysis.	
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1	Accordingly, IT IS HEREBY ORDERED that:	
2	1. The findings and recommendations filed April 17, 2017, are adopted in full;	
3	2. Respondent's motion to dismiss (ECF No. 11) is granted;	
4	3. The claim identified as "Claim I" in petitioner's application for writ of habeas corpus is	
5	dismissed; and	
6	4. Respondent shall file his answer to petitioner's remaining claims within 30 days.	
7	Dated: May 9, 2017	
8	WILLIAM B. SHUBB	
9	UNITED STATES DISTRICT JUDGE	
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