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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER KELLY WELLS,
Petitioner,
v.
JOE A. LIZARRAGA,
Respondent.

No. 2:16-cv-2807 WBS 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 26, 2022, 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 fourteen days. ECF No. 47. Respondent has filed objections to the findings and recommendations. ECF No. 49.

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 26, 2022 (ECF No.47), are adopted in full;
2. Petitioner’s motion to correct the filing date of his notice of appeal (ECF No. 43) is GRANTED; and
3. The notice of appeal is deemed timely filed.

DATED:

Dated: November 17, 2022



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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