

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

IGNACIO ANDRES BULAHAN,

No. 2:17-cv-00104-KJM-GGH

Petitioner,

v.

ORDER

JOEL D. MARTINEZ, Warden, Sierra  
Conservation Center,

Respondent.

Petitioner is proceeding pro se and in forma pauperis in this habeas matter which was assigned to the magistrate judge as provided by Eastern District of California Local Rule 302(c)(17). On January 11, 2018 the magistrate issued Findings and Recommendations recommending that the petition for writ be dismissed without prejudice as a successive petition. ECF No. 15. The parties were granted fourteen (14) days to object and were cautioned that failure to file objections within that time may waive the right to appeal the District Court’s Order. *Id.* No objections were filed.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, IT IS HEREBY ORDERED that:

1. The petition is dismissed without prejudice; and
2. The Clerk of the Court shall close this file.

DATED: February 9, 2018.

  
UNITED STATES DISTRICT JUDGE