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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICKY VAN TRAN,
Petitioner,
v.
DAVID BAUGHMAN,
Respondent.

No. 2:17-cv-1925 JAM KJN 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 February 11, 2020, 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. Petitioner filed objections to the findings and recommendations. Respondent did not file a reply.

In the meantime, petitioner filed a motion to stay, and the February 11, 2020 findings and recommendations were held in abeyance pending resolution of the motion to stay. On September 1, 2020, the magistrate judge filed findings and recommendations recommending that petitioner’s motion for stay be denied; on October 7, 2020, petitioner’s motion to stay was denied.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
2 court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
3 court finds both findings and recommendations to be supported by the record and by proper
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed February 11, 2020 (ECF No. 19), are adopted
7 in full;
- 8 2. Petitioner's application for a writ of habeas corpus is denied; and
- 9 3. The court declines to issue the certificate of appealability referenced in 28 U.S.C.
10 § 2253.

11 DATED: October 14, 2020

/s/ John A. Mendez

12 THE HONORABLE JOHN A. MENDEZ
13 UNITED STATES DISTRICT COURT JUDGE
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