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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTONIO MORRIS,
Petitioner,
v.
ERIC ARNOLD,
Respondent.

No. 2:18-cv-0292 JAM DB P

FINDINGS AND RECOMMENDATIONS

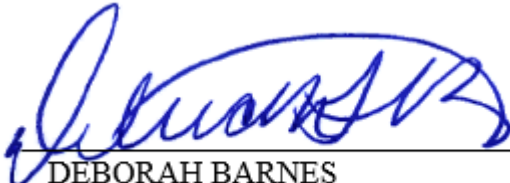
Petitioner is a state prisoner proceeding pro se and in forma pauperis with a petition for a writ of habeas corpus under 28 U.S.C. § 2254. On August 15, 2018, petitioner moved to dismiss this action. (ECF No. 23.) In a court-ordered response, respondent does not object to dismissal. (ECF No. 25.)

Accordingly, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, IT IS HEREBY RECOMMENDED that this case be dismissed.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. The document should be captioned “Objections to Magistrate Judge's Findings and Recommendations.” Any response to the objections shall be filed and served within seven days after service of the objections. The parties

1 are advised that failure to file objections within the specified time may result in waiver of the
2 right to appeal the district court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). In the
3 objections, the party may address whether a certificate of appealability should issue in the event
4 an appeal of the judgment in this case is filed. See Rule 11, Rules Governing § 2254 Cases (the
5 district court must issue or deny a certificate of appealability when it enters a final order adverse
6 to the applicant).

7 Dated: September 5, 2018

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11 DEBORAH BARNES
12 UNITED STATES MAGISTRATE JUDGE

13 DLB:9
14 DB/prisoner-habeas/morr0292.fr
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