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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERREENCE O'NEIL,  
Petitioner,  
v.  
ROBERT BURTON, WARDEN,  
Respondent.

No. 2:18-cv-00858-DJC-AC-P

ORDER

Petitioner, a state prisoner proceeding pro se, filed an 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 March 16, 2023, the Magistrate Judge issued 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 twenty-one days. (ECF No. 28.) Neither party has filed objections to the findings and recommendations.

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). The Court has reviewed the file and finds the findings and

1 recommendations to be supported by the record and by the Magistrate Judge's  
2 analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations issued March 16, 2023 (ECF No. 28), are  
5 ADOPTED in full;

6 2. The petition for writ of habeas corpus is DENIED, and

7 3. The Court DENIES the Certificate of Appealability as Petitioner has not made  
8 a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2).

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IT IS SO ORDERED.

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Dated: May 18, 2023

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Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE

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