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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN HENRY MITCHELL,

Petitioner,

v.

ROBERT FOX,

Respondent.

No. 2:18-cv-0985 WBS AC P

ORDER

Petitioner, a state prisoner proceeding pro se, has 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 April 4, 2023, the magistrate judge issued findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 20. Petitioner has not filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations issued April 4, 2023 (ECF No. 20), are **ADOPTED** in full;

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

3. The court **DECLINES** to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

Dated: May 12, 2023

/s/ John A. Mendez for

THE HONORABLE WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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