1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 WESLEY PANIGHETTI, No. 2:19-cv-0015 MCE GGH P 12 Petitioner, 13 **ORDER** v. 14 J. GASTELLO, 15 Respondent. 16 17 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 18 19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On July 23, 2019, the magistrate judge filed Findings and Recommendations herein which 21 were served on all parties and which contained notice to all parties that any objections to the 22 Findings and Recommendations were to be filed within twenty-one days. ECF No. 33. Petitioner 23 has filed objections to the Findings and Recommendations. ECF No. 37. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this 24 25 Court has conducted a <u>de novo</u> review of this case. Having carefully reviewed the entire file, the 26 Court finds the Findings and Recommendations to be supported by the record and by proper 27 analysis. /// 28 1

1	Accordingly, IT IS HEREBY ORDERED that:
2	1. The Findings and Recommendations filed July 23, 2019 (ECF No. 33), are ADOPTED
3	in full;
4	2. Respondent's motion to dismiss (ECF No. 15) is GRANTED;
5	3. The petition for writ of habeas corpus is DISMISSED for lack of jurisdiction;
6	4. The court declines to issue the certificate of appealability referenced in 28 U.S.C. §
7	2253; and
8	5. The Clerk of the Court is directed to close the case.
9	IT IS SO ORDERED.
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11	Dated: October 11, 2019
12	Mount 12.
13	MORRISON C. ENGLAND, JR UNITED STATES DISTRICT JUDGE
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