1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 JOSEPH LEONARD, No. 2:19-cv-00230-TLN-DB 12 Petitioner, 13 **ORDER** v. 14 PATRICK EATON, 15 Respondent. 16 Petitioner Joseph Leonard ("Petitioner"), a state prisoner proceeding pro se, has filed an 17 18 Application for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. The matter was referred 19 to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On January 20, 2021, the magistrate judge filed findings and recommendations herein 21 which were served on all parties and which contained notice to all parties that any objections to 22 the findings and recommendations were to be filed within thirty days. (ECF No. 36.) Neither 23 party has filed objections to the findings and recommendations. 24 The court has reviewed the file under the applicable legal standards and finds the findings 25 and recommendations to be supported by the record and by the magistrate judge's analysis. 26 Accordingly, IT IS HEREBY ORDERED that: 27 1. The Findings and Recommendations filed January 20, 2021 (ECF No. 36), are 28 ADOPTED IN FULL; 1

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- 2. Respondent's Motion to Dismiss (ECF No. 31) is GRANTED IN PART; and
- 3. Plaintiff's subclaims (f)–(j) of Claim Seven are DISMISSED as unexhausted. IT IS SO ORDERED.

DATED: April 13, 2021

Troy L. Nunley

United States District Judge