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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MATTHEW COPELAND MILLER,
Petitioner,
v.
JEFF LYNCH,
Respondent.

No. 2:19-cv-1117 WBS DB 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 August 26, 2020, the magistrate judge filed 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. 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 filed August 26, 2020, are adopted in full;

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2. Respondent's motion to dismiss (ECF No. 19) is granted;
3. The petition for writ of habeas corpus be dismissed without prejudice; and
4. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

Dated: November 19, 2020


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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