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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERTO HERRERA,

 Petitioner,

 v.

D. DAVEY,

 Respondent.

No. 2:19-cv-1453 MCE 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 September 3, 2019, 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. ECF No. 9. Petitioner has filed objections to the findings and recommendations. ECF No. 10.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 3, 2019 (ECF No. 9), are ADOPTED in full;
2. This action is DISMISSED because it is duplicative of petitioner's prior habeas petitions, see Rule 4, Rules Governing § 2254 Cases;
3. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253; and

IT IS SO ORDERED.

Dated: October 11, 2019


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE