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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TOU C. THAO,  
  
  Petitioner,  
  
  v.  
  
STU SHERMAN,  
  
  Respondent.

No. 2:20-cv-0049 JAM 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. Plaintiff alleges he is serving an unauthorized sentence. 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 10, 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 thirty days. (ECF No. 7.) 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.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 10, 2020, are adopted in full;
2. The petition (ECF No. 1) is dismissed; and
3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

DATED: November 20, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE