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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	TRINITY METTS-MONTEZZ,	No. 2:21-cv-0400 JAM KJN P
12	Petitioner,	
13	V.	<u>ORDER</u>
14	MICHAEL PALLARES,	
15	Respondent.	
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17	Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas	
18	corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate	
19	Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	On October 19, 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. Neither party filed	
23	objections to the findings and recommendations.	
24	The court presumes that any findings of fact are correct. See Orand v. United States, 602	
25	F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.	
26	See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having	
27	reviewed the file, the court finds the findings and recommendations to be supported by the record	
28	and by the magistrate judge's analysis.	
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1	Accordingly, IT IS HEREBY ORDERED that:	
2	1. The findings and recommendations filed October 19, 2021, are adopted in full;	
3	2. Respondent's motion to dismiss (ECF No. 16) is granted;	
4	3. This action (ECF No. 1) is dismissed with prejudice; and	
5	4. The court declines to issue the certificate of appealability referenced in 28 U.S.C.	
6	§ 2253.	
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9	Dated: December 20, 2021 /s/ John A. Mendez THE HONORABLE JOHN A. MENDEZ	
10	UNITED STATES DISTRICT COURT JUDGE	
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