

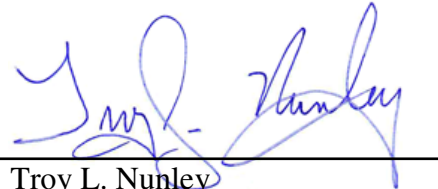
1 On November 24, 2021, petitioner also filed a motion for expedited hearing. However, in
2 light of the above, Petitioner's motion is denied.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations November 15, 2021, (ECF No. 11), are adopted in
5 full;
- 6 2. Respondent's motion to dismiss (ECF No. 9) is granted on the grounds that Petitioner's
7 claim is not ripe;
- 8 3. The Court declines to issue the certificate of appealability referenced in 28 U.S.C.
9 § 2253; and
- 10 4. Petitioner's motion for expedited hearing (ECF No. 12) is denied.

11 **DATED: January 10, 2022**

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Troy L. Nunley
United States District Judge