

1 interfere with that prosecution in a way the Supreme Court forbids. *See* F&Rs at 3–4 (citing
2 *Younger v. Harris*, 401 U.S. 37, 45–46 (1971)). The dismissal order at the basis of petitioner’s
3 challenge has also now been vacated. *See* F&Rs at 4 (citing Suppl. Info. at 11, ECF No. 8); *see*
4 *also People v. Fultz*, 69 Cal. App. 5th 395 (2021).

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed September 15, 2022, are adopted in full;
- 7 2. Petitioner’s application for a writ of habeas corpus is summarily dismissed without
8 prejudice based on the *Younger* abstention doctrine;
- 9 3. This case is closed; and
- 10 4. The court declines to issue the certificate of appealability referenced in 28 U.S.C.
11 § 2253.

12 DATED: December 5, 2022.

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16 CHIEF UNITED STATES DISTRICT JUDGE
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