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8            IN THE UNITED STATES DISTRICT COURT

9        FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11  MICHAEL H. WILSON, F-57598,            No. C 10-4157 CRB (PR)

12            Petitioner,                 ORDER DENYING OBJECTIONS
                                          AND REQUEST FOR A
13     vs.                                CERTIFICATE OF APPEALABILITY;
                                          INSTRUCTIONS TO CLERK
14  G. SWARTHOUT, Warden,

15            Respondent.
                                                    /
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17        This is a habeas case filed pro se by a state prisoner.  The petition was denied in an

18  order entered on June 4, 2012.  Petitioner has filed what he captions a "Motion in [sic]

19  Objections [sic] to Magistrate Judge's Report and Recommendation and Request for Issuance

20  of a Certificate of Appealability."

21        Petitioner erroneously believes that this court's ruling on his petition was a report and

22  recommendation by a magistrate judge, when in fact it was a definitive ruling on the merits

23  of the petition by the undersigned district court judge.  The objections therefore will be

24  construed as a motion to reconsider.

25        In his objections petitioner merely repeats his arguments on the merits.  He does not

26  point to any flaw in the court's reasoning.  He has failed to provide any reason to reconsider

27  the result.  The objections are DENIED.

28  ///

1    Petitioner also requests a certificate of appealability ("COA").  A COA was denied in

2  the order denying the petition, although petitioner evinces no awareness of this, and nothing

3  petitioner says in this motion requires a different result.  The request is DENIED.

4    The clerk shall transmit the file, including a copy of this order, to the Court of

5  Appeals.  See Fed. R. App. P. 22(b); United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir.

6  1997).  Petitioner may then ask the Court of Appeals to issue the certificate.  See R. App. P.

7  22(b)(1).

8  SO ORDERED.

9  DATED:  June 19, 2012                            _____

10                                              CHARLES R. BREYER
                                                 United States District Judge

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