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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

GRADY HARRIS,

Petitioner,

vs.

R.K. WONG, Warden,

Respondent.

CASE NO. 06-CV-1747 JLS (JMA)

**ORDER: (1) ADOPTING REPORT
AND RECOMMENDATION, (2)
DENYING PETITION FOR WRIT
OF HABEAS CORPUS AND (3)
DENYING PETITIONER’S
REQUEST FOR AN
EVIDENTIARY HEARING**

(Doc. No. 52, 66)

Petitioner Grady Harris, a state prisoner represented by counsel, brings the present petition for a writ of habeas corpus, challenging his convictions in case number SCD175957 for one count of attempted murder, one count of robbery, two counts of attempted robbery and two counts of assault with a semi-automatic firearm, alleging that his federal constitutional rights were violated in several ways. Presently before the Court is Petitioner’s amended petition (Doc. No. 52), Respondent’s Answer and Memorandum of Points and Authorities in Support of the Answer (Doc. No. 61), the Lodgments and Exhibits submitted by the parties, and a report and recommendation (R&R) from Magistrate Judge Jan M. Adler advising this Court deny the petition and deny Petitioner’s request for an evidentiary hearing. (Doc. No. 66.)

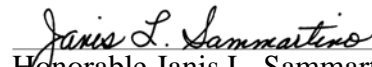
Rule 72(b) of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1) set forth the duties of a district court in connection with a magistrate judge’s report and recommendation. “The

1 district court must make a *de novo* determination of those portions of the report . . . to which
2 objection is made,” and “may accept, reject, or modify, in whole or in part, the findings or
3 recommendations made by the magistrate.” 28 U.S.C. 636(b)(1)(c); *see also United States v.*
4 *Remsing*, 874 F.2d 614, 617 (9th Cir. 1989); *United States v. Raddatz*, 447 U.S. 667, 676 (1980).
5 However, in the absence of timely objection, the Court need “only satisfy itself that there is no
6 clear error on the face of the record.” Fed. R. Civ. P. 72, Advisory Committee Notes (1983)
7 (citing *Campbell v. U.S. Dist. Court*, 501 F.2d 196, 206 (9th Cir. 1974)).

8 In this case, Petitioner has failed to timely file objections to Judge Adler’s R&R. Having
9 reviewed the R&R, the Court finds that it is thorough, well reasoned, and contains no clear error.
10 Therefore, the Court adopts the R&R in full. The Court hereby: (1) **ADOPTS** Magistrate Judge
11 Adler’s Report and Recommendation, (2) **DENIES** Petitioner’s petition for habeas corpus, and (3)
12 denying Petitioner’s request for an evidentiary hearing. The Clerk shall close the file.

13 IT IS SO ORDERED.

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15 DATED: February 10, 2010

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18 Honorable Janis L. Sammartino
19 United States District Judge
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