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3 **UNITED STATES DISTRICT COURT**  
4 **SOUTHERN DISTRICT OF CALIFORNIA**  
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6 RICARDO A. CARIGNAN,  
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8 v.  
9 R. ADAMS, Warden,  
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Petitioner,  
Respondent.

Case No. 08cv2296 BTM (RBB)

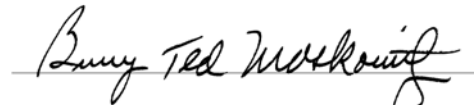
**ORDER ADOPTING REPORT &  
RECOMMENDATION**

Petitioner Ricardo A. Carignan, a state prisoner proceeding pro se and in forma pauperis, filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 in December 2008 and a First Amended Petition for Writ of Habeas Corpus in February 2009. Petitioner asserts his Sixth and Fourteenth Amendment rights were violated during his criminal trial. Respondent filed an Answer to the First Amended Petition. Petitioner filed a Traverse on July 2, 2009. Magistrate Judge Ruben B. Brooks issued a Report & Recommendation ("R&R") that the First Amended Petition be denied. Although Petitioner sought and received an extension to object to the R&R, Petitioner has not filed an objection.

The Court has reviewed the R&R and the relevant record and concludes that the R&R correctly applies the law to the First Amended Petition. The Court therefore **ADOPTS** the R&R as the decision of the Court. The Court therefore **DENIES** Petitioner's First Amended Petition for Writ of Habeas Corpus and **DENIES** a certificate of appealability as to all claims.

**IT IS SO ORDERED.**

DATED: April 26, 2010



Honorable Barry Ted Moskowitz  
United States District Judge