



**United States District Court**  
**SOUTHERN DISTRICT OF CALIFORNIA**

Henry Ivan Cogswell

**Civil Action No.** 11-cv-1559-MMA-WVG

**Plaintiff,**

**v.**

Matthew Cate

**JUDGMENT IN A CIVIL CASE**

**Defendant.**

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED:

The Court Adopts Report and Recommendation in its entirety and Dismisses Petitioner's First Amended Petition for Writ of Habeas Corpus with prejudice. The Court Denies Petitioner's motion for a certificate of appealability and Declines to issue a Certificate of Appealability.

**Date:** 5/21/14

**CLERK OF COURT**

**JOHN MORRILL, Clerk of Court**

By: s/ V. Mosqueda

V. Mosqueda, Deputy