

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 06-CV-02118-CMA-CBS

TAM HUYNH,

Applicant,

v.

LOU ARCHULETA, Warden, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

**ORDER ADOPTING AND AFFIRMING JANUARY 12, 2009 RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court on the January 12, 2009 recommendation by the Magistrate Judge that Applicant's Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. Section 2254 be denied (Doc. # 26).

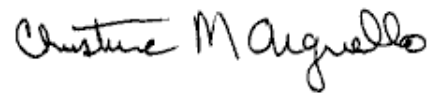
On January 23, 2009, Applicant filed a Notice of Appeal (Doc. # 27) which the Court treated as a timely filed objection to this recommendation. In light of the objection, the Court has conducted the requisite *de novo* review of the issues, the recommendations and Plaintiff's objections. Based on this review, the Court has concluded that the Magistrate Judge's thorough and comprehensive analyses and recommendations are correct. Accordingly,

IT IS ORDERED that the January 12, 2009 Recommendation of United States Magistrate Judge (Doc. # 26) is ACCEPTED and, for the reasons cited therein,

Applicant's Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. Section 2254, filed October 24, 2006 (Doc. # 2), is DENIED and this civil action is hereby DISMISSED WITH PREJUDICE.

DATED: March 24, 2009

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge