

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Justin Paul Farnsworth,

Civil No. 09-333 (RHK/JJK)

Petitioner,

**CORRECTED ORDER**

v.

John F. King, Warden,

Respondent.

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Before the Court is Petitioner's Objection to the March 2, 2010 Report and Recommendation of Magistrate Judge Jeffrey J. Keyes; Judge Keyes has recommended that the Petitioner's application for habeas corpus relief under 28 U.S.C. § 2254 should be denied and the pending action be dismissed with prejudice.

Based upon the undersigned's de novo review of the Report and Recommendation and the Objections thereto, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Petitioner's Objection (Doc. No. 30) is **OVERRULED**;
2. The Report and Recommendation (Doc. No. 27) is **ADOPTED**;
3. Petitioner's Application for Habeas Corpus Relief under 28 U.S.C. § 2254 (Doc. No. 1) is **DENIED**; and

4. This action is **DISMISSED WITH PREJUDICE.**<sup>1</sup>

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 14, 2010

s/Richard H. Kyle \_\_\_\_\_  
RICHARD H. KYLE  
United States District Judge

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<sup>1</sup> The Court declines to issue a Certificate of Appealability.