

**FILED**

**JUN 14 2013**

Clerk, U.S. District Court  
District Of Montana  
Helena

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

MARLON CAMARILLO,

Petitioner,

vs.

LEROY KIRKEGARD; ATTORNEY  
GENERAL OF THE STATE OF  
MONTANA,

Respondent.

CV 13-64-BLG-SEH

ORDER

United States Magistrate Judge Carolyn Ostby entered her Findings and Recommendation<sup>1</sup> on May 21, 2013. Petitioner filed objections on June 4, 2013.<sup>2</sup> The Court reviews *de novo* findings and recommendations to which objection is made. 28 U.S.C. § 636(b)(1).

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<sup>1</sup> Document No. 5.


<sup>2</sup> Document No. 6.

Upon *de novo* review of the record, I find no error in Magistrate Judge Ostby's Findings and Recommendation and adopt it in full.

ORDERED:

1. Petitioner's Petition for Writ of Habeas Corpus<sup>3</sup> is DISMISSED.
2. The Clerk of Court is directed to enter a judgment of dismissal.
3. A certificate of appealability is DENIED because the procedural basis for dismissal is clear and inescapable.

DATED this 14<sup>th</sup> day of June, 2013.

  
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SAM E. HADDON  
United States District Judge

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<sup>3</sup> Document No. 1.