



Case No. 3:14-CV-1325  
Gwin, J.

Magistrate Judge Knepp.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Knepp's Report and Recommendation and incorporates it fully herein by reference. The Court **DISMISSES WITH PREJUDICE** Banks' petition. Moreover, the Court certifies that an appeal from this decision could not be taken in good faith and that no basis exists upon which to issue a certificate of appealability under [28 U.S.C. § 1915\(a\)\(3\)](#).<sup>7/</sup>

IT IS SO ORDERED.

Dated: November 23, 2015

*s/ James S. Gwin*  
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JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>7/</sup>[28 U.S.C. § 2253\(c\); Fed. R. App. P. 22\(b\)](#).