Deaton v. Farris et al Doc. 24

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

LOGAN ADAM DEATO	N,)	
	Petitioner,)	
v.)	CIV-13-1052-R
JIM FARRIS, Warden,)	
)	
	Respondent.)	
	OF	RDER	

review, the Court finds as follows.

Petitioner, appearing *pro se*, filed this action pursuant to 28 U.S.C. § 2254, challenging his conviction in the District Court of Cleveland County on a charge of First Degree Rape. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) the matter was referred to United States Magistrate Judge Bernard M. Jones for preliminary review. On May 31, 2016, Judge Jones issued a Report and Recommendation wherein he recommended the Petition be denied on the merits. The matter is currently before the Court on Petitioner's timely objection to the Report and Recommendation, giving rise to the Court's obligation to conduct a *de novo* review of any portion of the Report and Recommendation to which Petitioner makes specific objection. Having conducted this *de novo*

As noted by Judge Jones, Petitioner raised nine grounds for relief in his Petition. The Report and Recommendation thoroughly addresses each of the claims and correctly concludes that the decision of the Oklahoma Court of Criminal Appeals was not contrary to or an unreasonable application of clearly established federal law, so as to entitle Petitioner to habeas relief. *See* 28 U.S.C. § 2244(d)(1). The Court hereby ADOPTS the Report and Recommendation in its ENTIRETY and the Amended Petition for Habeas Corpus Relief pursuant to 28 U.S.C. § 2254 is hereby

DENIED. Judgment shall be entered accordingly.

IT IS SO ORDERED this 21st day of June, 2016.

DAVID L. RUSSELL

UNITED STATES DISTRICT JUDGE