

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

AUSTIN EMORY VANDERPOOL,

2:15-CV-01199-PK

Petitioner,

ORDER

v.

CHRISTINE POPOFF,
Superindendant Oregon State
Correctional Institution,

Respondent.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#34) on February 14, 2017, in which he recommends this Court deny the Petition (#2) for Writ of Habeas Corpus Pursuant to § 2254, dismiss this matter, and deny a certificate of appealability. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

1 - ORDER

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#34). Accordingly, the Court **DENIES** the Petition (#2) for Writ of Habeas Corpus Pursuant to § 2254, **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability.

IT IS SO ORDERED.

DATED this 21st day of March, 2017.



ANNA J. BROWN
United States District Judge