

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

JONATHAN SCHIEL,

No. 6:11-cv-01230-JE

Petitioner,

ORDER

v.

TIM CAUSEY, Superintendent, SCCI,

Respondent.

Jonathan Schiel
3636 Bayonne Dr.
Salem, OR 97317

Petitioner, Pro Se

Kristen E. Boyd
State of Oregon
Department of Justice
1162 Court Street, NE
Salem, OR 97301-4096

Attorney for Respondent

HERNANDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation (#45) on March 5, 2013, in which he recommends that the Court deny the amended petition for writ of habeas corpus (#14) and dismiss this case with prejudice. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

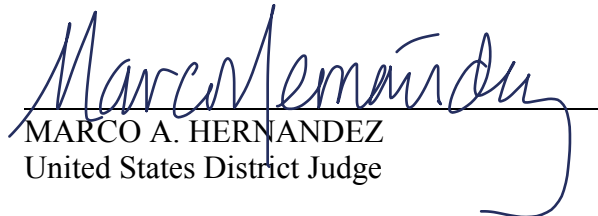
Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court adopts Magistrate Judge Jelderks' Findings and Recommendation (#45). Therefore, the amended petition for writ of habeas corpus (#14) is denied and this case is dismissed with prejudice. A certificate of appealability is also denied because petitioner has not made a substantial showing of the denial of a constitutional right.

IT IS SO ORDERED.

DATED this 12 day of April, 2013.


MARCO A. HERNANDEZ
United States District Judge