

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION


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| <p>MATTHEW R. HAKODA Petitioner,</p> | <p>]]]]]]]]]]</p> | <p>No. 3:11-0937 Judge Campbell</p> |
| <p>v.</p> | | |
| <p>DAVID MILLS, WARDEN Respondent.</p> | | |

O R D E R

In accordance with the Memorandum contemporaneously entered, the Court finds no merit in the petitioner's application (Docket Entry No.1) for writ of habeas corpus. Accordingly, petitioner's application is DENIED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2254 Cases.

Should the petitioner file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c); Rule 22(b), Fed.R.App.P., which will ISSUE on the sole claim that counsel was ineffective for failing to challenge the enhancement of petitioner's sentence as a Blakely violation.

It is so ORDERED.



 Todd Campbell
 United States District Judge