

adjudication resulted in a decision that was based on an unreasonable determination of the fact in light of the evidence presented in the state court proceeding.

ORDER

Accordingly, Petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

So **ORDERED** and **SIGNED** this **26** day of **August, 2009**.



Ron Clark, United States District Judge