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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KAVIN M. RHODES,
Plaintiff,

v.

M. ROBINSON, et al.,
Defendants.

CASE NO. 1:02-CV-05018-LJO-DLB PC

ORDER DIRECTING CLERK OF THE
COURT TO RE-ISSUE DECEMBER 19, 2011
FINDINGS AND RECOMMENDATIONS

PLAINTIFF’S OBJECTIONS DUE WITHIN
TWENTY-ONE DAYS

_____ /

Plaintiff Kavin M. Rhodes (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation. Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On June 9, 2011, Plaintiff filed his third amended complaint, a supplemental complaint pursuant to Rule 15(d) of the Federal Rules of Civil Procedure. On June 24, 2011, Defendants Blevins, Huebner, Lopez, Malone, Nelson, Pazo, Robertson, Robinson, and Tidwell filed a motion to dismiss. On December 19, 2011, the Court issued a Findings and Recommendations, screening the supplemental complaint and recommending Defendants’ motion be granted in part. Doc. 254. On January 17, 2012, Defendants filed their objections. On January 27, 2012, Plaintiff filed his objections.

In his objections, Plaintiff contends that he has not received a copy of the December 19, 2011 Findings and Recommendations, and thus is unable to file a meaningful objection. In the interest of justice, the Court will direct the Clerk of the Court to re-serve the December 19, 2011 Findings and Recommendations on Plaintiff. The parties will be provided an opportunity to file responses to the other parties’ objections.

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Accordingly, it is HEREBY ORDERED that:

1. The Clerk of the Court is directed to re-serve Plaintiff with the December 19, 2011 Findings and Recommendations, concurrently with this order;
2. Plaintiff is provided twenty-one (21) days from the date of service of this order in which to file objections;
3. Defendants are provided fourteen (14) days from the date of service of Plaintiff's objections, if any, in which to file a response; and
4. Plaintiff is provided thirty-five (35) days from the date of service of this order in which to file a response to Defendants' January 17, 2012 objections.

IT IS SO ORDERED.

Dated: February 9, 2012

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE