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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAYSHON THOMAS,

Petitioner,

v.

J. SOLDA, et al.,

Respondents.

Case No. 1:16-cv-00117- DAD-EPG-HC

FINDINGS AND RECOMMENDATION
RECOMMENDING DISMISSAL OF
PETITION FOR WRIT OF MANDAMUS

Petitioner Rayshon Thomas is a Madera County jail inmate proceeding *pro se* with a petition for writ of mandamus pursuant to 28 U.S.C. § 1651. On January 11, 2016, Petitioner filed the instant petition in the Sacramento Division of the United States District Court for the Eastern District of California. (ECF No. 1). On January 25, 2016, the Sacramento Division transferred the action to this Court. (ECF No. 4).

In the instant petition, Petitioner appears to challenge a California Supreme Court order that was issued on December 16, 2015, transferring his state petition for writ of mandamus to the California Court of Appeal with the direction that if the petition was identical to a prior petition, the repetitious petition must be denied. Petitioner alleges said order was issued without a hearing and without any substantial evidence showing the petition to be repetitious. Petitioner also appears to allege various due process errors in proceedings in the Madera County Superior Court, including the denial of his Marsden motion. Petitioner has named as Respondents a

1 time may waive the right to appeal the District Court's order. Wilkerson v. Wheeler, 772 F.3d
2 834, 839 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

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4 IT IS SO ORDERED.

5 Dated: February 19, 2016

/s/ Eric P. Gray
6 UNITED STATES MAGISTRATE JUDGE

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