

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAN REED,	)	1:06-CV-01757 OWW JMD HC
)	
Petitioner,	)	ORDER CORRECTING ERROR IN FILING
	)	OF PETITIONER’S MOTION TO FILE
v.	)	OVERSIZE BRIEF
	)	[Doc. #63]
LYDIA HENSE,)	
	)	ORDER DIRECTING CLERK OF COURT
Respondent.	)	TO SERVE ORDER AND COPY OF
	)	PETITIONER’S APPLICATION FOR
	)	CERTIFICATE OF APPEALABILITY TO
	)	THE NINTH CIRCUIT COURT OF
	)	APPEALS
	)	[DOC # 63]

Petitioner Jan Reed (“Petitioner”) is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On February 15, 2011, this Court adopted the Magistrate Judge’s Findings and Recommendation issued October 13, 2010, (Doc. 58), denied the Petition with prejudice, and directed the Clerk of the Court to enter judgment. See Doc. 60.

On March 21, 2011, Petitioner filed a Notice of Appeal to the Ninth Circuit Court of Appeal regarding the February 15, 2011 Order and Judgement. Concurrent with his Notice of Appeal, Petitioner provided this Court a copy of his Motion for Certificate of Appealability brought before the Ninth Circuit Court of Appeal which was erroneously filed with this Court. See Doc. 63.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is DIRECTED to SERVE a copy of Petitioner’s Motion for Certificate of Appealability (Doc. 63) to the Ninth Circuit Court of Appeal.

1 IT IS SO ORDERED.

2 Dated: March 31, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28