

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ANTHONY JOSEPH SANCHEZ,

CASE NO. 1:07-cv-00128-LJO-SMS PC

Plaintiff,

ORDER STRIKING PLAINTIFF’S UNTIMELY  
OBJECTION TO MAGISTRATE JUDGE’S  
FINDINGS AND RECOMMENDATIONS

v.

STANCLIFF, et al.,

(Doc. 95)

Defendants.

On September 17, 2009, Plaintiff filed an Objection to the Magistrate Judge’s Findings and Recommendations, filed on August 14, 2009.

The parties were given fifteen days within which to object, making Objections due on or before September 3, 2009. Fed. R. Civ. P. 6(d). No timely Objections were filed, and the undersigned adopted the Findings and Recommendations in full and granted Defendants’ Motion for Summary Judgment on September 14, 2009.

This action is closed and judgment was entered on September 14, 2009. Plaintiff’s Objection is untimely and is HEREBY ORDERED STRICKEN from the record.<sup>1</sup>

IT IS SO ORDERED.

**Dated: September 21, 2009**

**/s/ Lawrence J. O’Neill**  
**UNITED STATES DISTRICT JUDGE**

<sup>1</sup> The Objection is dated September 10, 2009. (Doc. 95, court record p. 5.) Therefore, it is untimely even with the application of the prison mailbox rule. Douglas v. Noelle, 567 F.3d 1103, 1107-08 (9th Cir. 2009).