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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSHUA J. CANTU,
Plaintiff,
v.
M. GARCIA, et al.,
Defendants.

Case No. 1:09-cv-00177 DAD DLB PC
ORDER EXTENDING TIME FOR
PLAINTIFF TO FILE OBJECTIONS
TWENTY-ONE DAY DEADLINE

Plaintiff Joshua J. Cantu (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on January 15, 2009, in the Northern District of California, and it was transferred to this Court on January 26, 2009. The action is proceeding on Plaintiff’s June 6, 2013, Second Amended Complaint for (1) an Eighth Amendment excessive force claim against Defendant Garcia; and (2) an Eighth Amendment failure to protect claim against Defendants Goree and Baptiste.

On December 15, 2015, the Court issued Findings and Recommendations regarding the parties’ motion for summary judgment. The Findings and Recommendations contained notice that any objections were to be filed within thirty (30) days.

On January 4, 2016, Plaintiff filed a notice of appeal, even though the Findings and Recommendations are not a final, appealable order. He did not file objections.

1 As an appeal is not the proper method for objecting to the Findings and Recommendations,
2 the Court will grant Plaintiff an additional twenty-one (21) days within which to file objections. If
3 Plaintiff does not file objections within this time frame, the Findings and Recommendations will be
4 submitted to the District Court without the benefit of Plaintiff's input.

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6 IT IS SO ORDERED.

7 Dated: January 28, 2016

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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