

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

WINDZER FLEURISSAINT,	)	1:09-cv-00572-OWW-SKO-HC
	)	
Petitioner,	)	ORDER OF THE COURT GRANTING SUA
	)	SPONTE A FINAL EXTENSION OF TIME
v.	)	TO FILE OBJECTIONS TO FINDINGS
	)	AND RECOMMENDATIONS TO DISMISS
	)	THE PETITION (Doc. 13)
H. A. RIOS, JR., Warden,	)	
	)	DEADLINE FOR OBJECTIONS:
Respondent.	)	THIRTY (30) DAYS AFTER THE DATE
	)	OF SERVICE OF THIS ORDER
	)	

Petitioner is a federal prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The Court has previously granted Petitioner's request for an extension of time to file objections to findings and recommendations to dismiss the petition.<sup>1</sup> The findings and recommendations were filed on June 28, 2010, and were served on Petitioner. It appears that Petitioner was relocated twice after the filing of the findings and recommendations. Petitioner filed a notice of change of address on September 23, 2010, indicating

---

<sup>1</sup>Although Petitioner styled his request as one to respond to Defendant's motion to dismiss, the Respondent has not filed a motion to dismiss; rather, the findings and recommendations were filed by the Court.

1 that he is now housed in the United States Penitentiary at  
2 Florence, Colorado. On October 8, 2010, the Court received a  
3 memorandum from a counselor informing the Court that Petitioner  
4 had been without his legal property until September 16, 2010,  
5 when he received his legal property.

6 Because of these circumstances, the Court on its own motion  
7 GRANTS to Petitioner a final extension of time to file objections  
8 to the findings and recommendations filed on June 28, 2010.

9 Petitioner MAY FILE no later than thirty days after the date  
10 of service of this order objections to the findings and  
11 recommendations.

12 Respondent may file a reply to the objections no later than  
13 fourteen days after the date any objections are filed by  
14 Petitioner.

15  
16 IT IS SO ORDERED.

17 **Dated: October 18, 2010**

**/s/ Sheila K. Oberto**  
**UNITED STATES MAGISTRATE JUDGE**