

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

JEROME TUCKER,	1:09-cv-01199-AWI-DLB (HC)
Petitioner,	ORDER DISREGARDING PETITIONER'S
v.	OBJECTIONS TO FINDINGS AND
	RECOMMENDATIONS AS UNTIMELY
	[Doc. 23]
JAMES D. HARTLEY, Warden	
Respondent.	

On March 2, 2010, the Magistrate Judge issued a Findings and Recommendation to deny the instant petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. Objections to the Findings and Recommendation were to be filed within thirty days from the date of service. Petitioner did not file objections. On June 16, 2010, the undersigned adopted the Findings and Recommendation in full and judgment was entered in favor of Respondent.

On June 25, 2010, Petitioner filed objections to the Findings and Recommendation. Petitioner states that he was transferred from Avenal State Prison on March 1, 2010, to Chuckawalla State Prison. Petitioner states that he did not receive the March 2, 2010, Findings and Recommendation until April 1, 2010.

Petitioner's objections to the Findings and Recommendation shall be disregarded as untimely. Even if Petitioner received the Findings and Recommendation on April 1, 2010, Petitioner waited over two months to submit objections. Accordingly, Petitioner's untimely objections are disregarded.

IT IS SO ORDERED.

Dated: July 3, 2010



CHIEF UNITED STATES DISTRICT JUDGE