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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DENNIS CHAN LAI,)	1:09-CV-02086 AWI GSA
)	
Plaintiffs,)	ORDER VACATING THIS COURT’S
)	JULY 6, 2010, ORDER ADOPTING
v.)	FINDINGS AND RECOMMENDATIONS
)	AND JUDGMENT
MRS. IPSON, et al.,)	(Documents 19 & 20)
)	
Defendants.)	ORDER DIRECTING CLERK TO REOPEN
)	CASE

On July 6, 2010, this Court issued its Order Adopting Findings and Recommendations dismissing this action in its entirety. (Doc. 19.) Judgment was entered July 7, 2010. (Doc. 20.) In the Order, this Court stated that “no party ha[d] . . . filed objections” to the Findings and Recommendations. (Doc. 19 at 2.) However, this statement was erroneous. The Court has learned that Plaintiff did forward his objections in a timely fashion.¹

¹Plaintiff’s objections were due on or before July 1, 2010. The certificate of service indicates the pleading was deposited for mailing on June 30, 2010. In light of the observance of Independence Day on July 5, 2010, the fact Plaintiff’s objections were filed on July 6, 2010, does not render the objections tardy. Unfortunately, Plaintiff’s objections were not entered onto the Court’s docket until July 7, 2010, after the Order and Judgment had been entered and served.

1 In light of the foregoing, and pursuant to Rule 60 of the Federal Rules of Civil Procedure,
2 this Court ORDERS as follows:

- 3 1. The Judgment entered July 7, 2010, is hereby SET ASIDE;
- 4 2. The Clerk of the Court is DIRECTED to reopen this case;
- 5 3. Thereafter, the Court will consider Plaintiff's timely objections.

6
7 IT IS SO ORDERED.

8 Dated: July 11, 2010

9 
10 CHIEF UNITED STATES DISTRICT JUDGE