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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CRAIG ALLEN WARD,)	1:10-cv-0633-OWW-SKO-HC
)	
Petitioner,)	ORDER VACATING FINDINGS AND
)	RECOMMENDATIONS DUE TO CLERICAL
)	ERROR (DOC. 17)
v.)	
)	ORDER DIRECTING THE CLERK TO
ACTING WARDEN M. C. EVANS,)	SERVE THE ORDER DENYING
)	PETITIONER'S RENEWED MOTION TO
Respondent.)	PROCEED IN FORMA PAUPERIS AND TO
)	CORRECT THE DOCKET
)	

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) and Local Rules 302 and 304.

I. Vacating the Findings and Recommendations to Dismiss the Action

On June 21, 2010, the Magistrate Judge filed findings and recommendations recommending that the petition for writ of habeas corpus be dismissed without prejudice pursuant to Local Rule 110 for Plaintiff's failure to comply with the Court's order to pay the filing fee. However, despite a contrary indication in the docket, it appears that the order to pay the filing fee was not

1 served on Petitioner.

2 Therefore, due to the clerical error, it is ORDERED that:

3 1) The findings and recommendations filed on June 21, 2010,
4 ARE VACATED; and

5 2) The Clerk is DIRECTED to serve the Court's order denying
6 Petitioner's renewed motion to proceed in forma pauperis, which
7 was signed on May 21, 2010, and entered on May 24, 2010, on
8 Petitioner; and

9 3) The Clerk is further DIRECTED to take any and all
10 appropriate measures to correct the docket.

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12 IT IS SO ORDERED.

13 **Dated: July 28, 2010**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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