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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

COREY BURGESS,	)	1:12-cv-777-AWI-SKO-HC
	)	
Petitioner,	)	ORDER CONSTRUING PETITIONER'S
	)	MOTION FOR RECONSIDERATION OF
	)	FINDINGS AND RECOMMENDATIONS AS
v.	)	OBJECTIONS TO THE FINDINGS AND
	)	RECOMMENDATIONS (DOC. 41)
HECTOR ALFONZO RIOS,	)	
	)	ORDER RE: FINDINGS AND
Respondents.	)	RECOMMENDATIONS (DOC. 40)
	)	
_____	)	ORDER DENYING PETITIONER'S
	)	MOTIONS FOR AN ORDER TO SHOW
	)	CAUSE RE: TRANSFER (DOCS. 35, 36)

Petitioner is a state prisoner proceeding pro se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The matter was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 303.

On January 8, 2013, the Magistrate Judge filed findings and recommendations that Petitioner's motions for injunctive relief be denied. The findings and recommendations were served on Petitioner by mail on the same date and informed the parties that objections could be filed within thirty days of service, and any reply to objections could be filed within fourteen days of the

1 filing of any objections.

2 On January 29, 2013, Petitioner filed a document entitled,  
3 "Motion for Reconsideration of Magistrate Judge's Findings and  
4 Recommendations," in which he stated he had been transferred to  
5 Florence, Colorado, and not to another institution. (Doc. 41,  
6 7.) In the motion, Petitioner requested that the Court vacate  
7 and set aside the findings and recommendations. (Id. at 19.)  
8 The Court thus CONSTRUES Petitioner's motion as objections to the  
9 findings and recommendations which are directed to the District  
10 Judge.

11 In accordance with the provisions of 28 U.S.C. § 636  
12 (b) (1) (C), this Court has conducted a *de novo* review of the case.  
13 The undersigned has carefully reviewed the entire file and has  
14 considered the objections. The undersigned has determined there  
15 is no need to modify the findings and recommendation to deny the  
16 motions based on the points raised in the objections. The Court  
17 finds that the findings and recommendations are supported by the  
18 record and proper analysis.

19 Accordingly, it is ORDERED that:

20 1) The Findings and Recommendations filed on January 8, 2013  
21 are ADOPTED IN FULL; and

22 2) Petitioner's motions for injunctive relief in the form of  
23 an order to show cause regarding transfer are DENIED.

24 IT IS SO ORDERED.

25 Dated: March 19, 2013



26 SENIOR DISTRICT JUDGE

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