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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JORGE RUIZ,
Petitioner,
v.
FRESNO SUPERIOR COURT,
Respondent.

Case No. 1:14-cv-00112 LJO GSA HC
ORDER VACATING FINDINGS AND
RECOMMENDATION
[Doc. #4]
ORDER DIRECTING CLERK OF COURT
TO RE-SERVE PETITIONER WITH NEW
CASE DOCUMENTS

Petitioner is proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On January 27, 2014, Petitioner filed a petition for writ of habeas corpus. On January 28, 2014, the Clerk of Court served an order authorizing in forma pauperis status and an order regarding consent on Petitioner. On February 6, 2014, the orders served on Petitioner were returned by the U.S. Postal Service as undeliverable. On April 22, 2014, the Court issued a Findings and Recommendation which had recommended the petition be dismissed for failure to comply with a court order.

It has come to the Court's attention that Petitioner's CDC number was incorrectly recorded on the case docket. Therefore, the new case documents were not properly served on Petitioner. The Court will order the documents re-served using the correct CDC number for Petitioner.

1 **ORDER**

2 Accordingly, IT IS HEREBY ORDERED:

3 1) The Findings and Recommendation issued April 22, 2014, is hereby VACATED; and

4 2) The Clerk of Court is DIRECTED to re-serve the new case documents on Petitioner
5 along with this order.

6
7 IT IS SO ORDERED.

8 Dated: April 29, 2014

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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