

1 **UNITED STATES DISTRICT COURT**
2 **EASTERN DISTRICT OF CALIFORNIA**

3
4 DEVONNE RANDOLPH,

5 Petitioner,

6 v.

7 WARDEN MATEVOUSIAN,

8 Respondent.

Case No. 1:17-cv-00397-LJO-SKO HC

ORDER WITHDRAWING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
DISMISSAL OF THE PETITION FOR
FAILURE TO STATE A CLAIM

(Doc. 7)

9
10 Petitioner is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus
11 pursuant to 28 U.S.C. § 2241. The Court referred the matter to the undersigned Magistrate Judge
12 pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 304.

13 On April 25, 2017, the undersigned filed findings and recommendation in which she
14 recommended that the Court dismiss the petition for failure to state a claim cognizable in federal
15 habeas corpus proceedings. On May 26, 2017, Petitioner filed objections in which he emphasized
16 that he intended to resolve the alleged discriminatory testing of coffee filters as a means to his
17 ultimate objective of the reinstatement of good time credits lost as a result of the disciplinary action.
18 A review of the petition confirms that Petitioner's objections are correct.

19 Accordingly, the undersigned hereby WITHDRAWS the findings and recommendations filed
20 on April 25, 2017.

21
22 IT IS SO ORDERED.

23 Dated: June 5, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE