

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MANUEL AYALA, No. CIV S-04-0903-RRB-CMK-F

Plaintiff,

ORDER

ANDREASEN, et al.,

Defendants.

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. On December 19, 2007, the court issued findings and recommendations that unserved defendants Sullwold, Sawker, and Gutierrez be dismissed pursuant to Federal Rule of Civil Procedure 4(m). On January 8, 2008, the court sua sponte extended the deadline for plaintiff to file objections to those findings and recommendations given plaintiff's recent transfer to another prison. Objections are now due within 45 days of January 8, 2008.

Pending before the court is plaintiff's document (Doc. 94) filed on January 30, 2008, in which he states that he objects to the findings and recommendations because he never received a copy due to the change in address resulting from his prison transfer. The court will direct the Clerk of the Court to re-serve a copy of the December 19, 2007, findings and

1 recommendations at his current address of record. Objections are due within the time permitted
2 by the January 8th order.

3 Accordingly, IT IS HEREBY ordered that the Clerk of the Court is directed to re-
4 serve the December 19, 2007, findings and recommendations on plaintiff at his current address of
5 record.

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7 DATED: February 1, 2008

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9 CRAIG M. KELLISON
10 UNITED STATES MAGISTRATE JUDGE

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