

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

JAMES URSINO,

Plaintiff,

No. CIV S-05-1764 DFL KJM P

vs.

POLICE CHIEF HAGARTY, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983.

On April 14, 2006, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty days. Plaintiff did not file objections to the findings and recommendations.

On June 16, 2006, the court adopted the findings and recommendations and entered judgment, dismissing the case without prejudice.

On June 27, 2006, plaintiff filed a "Request To Reconsider," which the court will treat as a motion for relief from judgment under Fed. R. Civ. P. 60(b)(1). Plaintiff claims he did not receive the April 14, 2006 findings and recommendations.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Good cause appearing IT IS HEREBY ORDERED that:

1. The judgment entered June 16, 2006 is hereby vacated;
2. The Clerk of the Court is directed to send plaintiff a copy of the April 14, 2006

findings and recommendations; and

3. Plaintiff's objections to the findings and recommendations are due within twenty days of the date of this order.

DATED: 8/3/2006



DAVID F. LEVI  
United States District Judge