

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES ARIAS-MALDONADO,)	Civ. No. 02:08-00216 JMS/BMK
)	
Plaintiffs,)	ORDER (1) VACATING THE
)	DECEMBER 15, 2010 ORDER
vs.)	ADOPTING MAGISTRATE JUDGE’S
)	FINDINGS AND RECOMMENDATION;
D.K. SISTO, et al.,)	AND (2) SETTING FORTH DEADLINE
)	FOR OBJECTIONS TO MAGISTRATE
Defendants.)	JUDGE’S FINDINGS AND
)	RECOMMENDATION
_____)	

**ORDER (1) VACATING THE DECEMBER 15, 2010 ORDER ADOPTING
MAGISTRATE JUDGE’S FINDINGS AND RECOMMENDATION; AND
(2) SETTING FORTH DEADLINE FOR OBJECTIONS TO MAGISTRATE
JUDGE’S FINDINGS AND RECOMMENDATION**

On November 19, 2010, U.S. Magistrate Judge Barry M. Kurren filed his Findings and Recommendation that Plaintiff Jaime Arias-Maldonado’s (“Plaintiff”) Motion for Summary Judgment be denied (the “November 19 F&R”). Because no objections were filed, the court adopted November 19 F&R on December 15, 2010 (the “December 15 Order”). The Clerk’s Office subsequently determined, however, that the November 19 F&R was mistakenly never sent to Plaintiff. Because Plaintiff has not received a copy of the November 19 F&R, the court VACATES the December 15 Order adopting the November F&R. The court further directs the Clerk’s Office to mail Plaintiff a copy of the November 19 F&R,

the December 15 Order, and this Order.

If Plaintiff wishes to file an objection to the November 19 F&R, he may do so by January 5, 2011. If Plaintiff fails to file an objection by that date, the court will adopt by the November 19 F&R.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, December 15, 2010.



/s/ J. Michael Seabright

J. Michael Seabright
United States District Judge

Arias-Maldonado v. Sisto, Civ. No. 02:08cv00216 JMS; Order (1) Vacating the December 15, 2010 Order Adopting Magistrate Judge's Findings and Recommendation; and (2) Setting Forth Deadline for Objections to Magistrate Judge's Findings and Recommendation