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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 JARVELL DEANDRE SMART,

No. CIV S-08-0739-WBS-CMK-P

12 Petitioner,

13 vs.

ORDER

14 ANTHONY HEDGPETH, et al.,

15 Respondents.
16 _____/

17 Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of
18 habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner's motion for
19 an extension of time (Doc. 34) to file objections to the court's January 12, 2009, findings and
20 recommendations.¹ Good cause appearing therefore, the motion will be granted. The parties
21 may file objections by February 23, 2009.

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24 _____
25 ¹ The findings and recommendations issued on January 5, 2009, are identical except
26 for missing text on page 10, line 8. The January 5, 2009, findings and recommendations will be
vacated.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner's motion for an extension of time (Doc. 34) is granted;

3 2. The parties may file objections to the January 12, 2009, findings and
4 recommendations by February 23, 2009; and

5 3. The findings and recommendations issued on January 5, 2009, are vacated.

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7 DATED: January 20, 2009

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9 **CRAIG M. KELLISON**
10 UNITED STATES MAGISTRATE JUDGE
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