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

UNITED STATES OF AMERICA,

No. CR S-02-0213-MCE-CMK

Respondent,

vs.

ORDER

LINO HERNANDEZ,

Movant.

_____ /

Movant, a federal prisoner proceeding pro se, brings this motion to correct or set aside a criminal judgment pursuant to 28 U.S.C. § 2255 (Doc. 343). The matter was referred to a United States Magistrate Judge pursuant to Eastern District of California local rules.

On January 29, 2009, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that the parties may file objections within a specified time. No objections to the findings and recommendations have been filed.¹

¹ Although it appears from the file that an order granting an extension of time to file objections was returned, the parties were properly served. It is the responsibility of the parties to keep the court apprised of their address of record at all times. Pursuant to Local Rule 83-182(d),

1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the Magistrate Judge's analysis.


3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations filed January 29, 2009, are adopted in
5 full;

6 2. Movant's motion pursuant to 28 U.S.C. § 2255 (Doc. 343) is denied; and

7 3. The Clerk of the Court is directed to close companion civil case no. CIV
8 S-08-0789-MCE-CMK.

9 Dated: April 6, 2009

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11 _____
12 MORRISON C. ENGLAND, JR.
13 UNITED STATES DISTRICT JUDGE
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service of documents at the record address of the party is fully effective.