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

JOHN MONTALVO,

Petitioner,

No. CIV S-08-1197 GEB EFB P

vs.

J. WALKER,

Respondent.

ORDER

\_\_\_\_\_ /

On January 30, 2009, findings and recommendations were issued recommending that respondent's motion to dismiss this action as untimely be granted. On March 12, 2009, the assigned district judge adopted that recommendation and directed the Clerk to close the case. Judgment was entered accordingly. Notwithstanding that judgment closing this case, petitioner filed on July 10, 2009, a request for judicial notice. Judicial notice of adjudicative facts is appropriate with respect to matters that are beyond reasonable dispute in that they are either generally known or capable of accurate and ready determination by resort to a source whose accuracy cannot reasonably be questioned. *See* Fed. R. Evid. 201 and advisory committee notes. Petitioner's request for judicial notice is inappropriate and unnecessary given that this case is closed, and it is therefore denied.

///

1           The court notes that it will issue no response to future filings by petitioner in this action  
2 not authorized by the Federal Rules of Civil Procedure or Federal Rules of Appellate Procedure.

3           So ordered.

4 Dated: July 16, 2009.



EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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