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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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GEORGE GOINGS,

Plaintiff,

v.

D. K. SISTO; et al.,

Defendants.

NO. CIV. 2:08-2135 WBS

ORDER

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It appearing that plaintiff's failure to file his notice of appeal within 30 days from the entry of judgment was the result of excusable neglect;

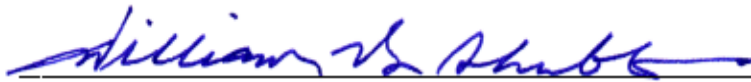
It further appearing that plaintiff's request for an extension of time to file notice of appeal was made within 30 days from the entry of judgment; and

It further appearing that defendants would not be prejudiced by allowing plaintiff to file his notice of appeal as of February 8, 2010, and that the ends of justice would thereby be served;

1           IT IS HEREBY ORDERED that plaintiff's motion for an  
2 extension of time to appeal pursuant to Federal Rule of Appellate  
3 Procedure 4(a)(5) be, and the same hereby is GRANTED;

4           AND IT IS FURTHER ORDERED the clerk of this court  
5 forthwith serve a copy of this order on the United States Court  
6 of Appeals for the Ninth Circuit, and mail copies of this order  
7 directly to the chambers of Circuit Judges Reinhardt, Tashima and  
8 Wardlaw.

9 DATED: August 11, 2010

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12 WILLIAM B. SHUBB  
13 UNITED STATES DISTRICT JUDGE  
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