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

SHANNON SECREASE,

Petitioner,

No. 2:09-cv-0299 JFM (HC)

vs.

JAMES WALKER, Warden,

Respondent.

ORDER

_____/

Petitioner has requested leave to file an opposition to respondent's August 17, 2009 motion to dismiss pursuant to the court's order of October 30, 2009. Good cause appearing, IT IS HEREBY ORDERED that:

1. The October 30, 2009 findings and recommendations (#33) are vacated.

2. Petitioner's November 3, 2009 application for leave to file an opposition to respondent's motion to dismiss (#34) is granted; Petitioner's November 3, 2009 opposition to respondent's motion to dismiss is deemed timely filed.

3. Respondent shall file a reply to petitioner's opposition within fifteen days from the date of this order.

DATED: November 23, 2009.


UNITED STATES MAGISTRATE JUDGE