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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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JEFFREY E. WALKER,
Plaintiff,

NO. CIV. S-09-0642 WBS-CKD
Court of Appeals No. 12-17710

v.

ORDER

A. H. WHITTEN; et al.,,
Defendants.

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This matter is before the court upon transfer of plaintiff's appeal from the United States Court of Appeals for the Ninth Circuit to this court. (Docket No. 124). While plaintiff's notice of appeal was filed December 7, 2012 (Docket No. 117), it is not clear to this court what order plaintiff is appealing from. The Order of the Court of Appeals indicates the appeal is from the denial of injunctive relief by the Magistrate Judge.


Because the Court of Appeals concluded that the Magistrate Judge lacked authority to enter the order from which plaintiff appeals, this court will remand the matter to the Magistrate Judge with instructions to prepare and submit Findings and Recommendations on the matter which forms the basis

1 of this appeal. Plaintiff and defendants shall then be given
2 fourteen days to file objections to the Findings and
3 Recommendations, and this court will then take the matter under
4 submission.

5 IT IS SO ORDERED.

6 DATED: January 28, 2013

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WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE