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

ROBERT P. BENYAMINI,

Plaintiff,

No. CIV S-09-2462 MCE DAD P

vs.

J.D. HARRIS, et al.,

Defendants.

ORDER

_____ /

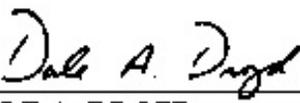
Plaintiff is a state prisoner proceeding pro se. On September 30, 2010, this action was closed. Plaintiff has since filed two documents, one styled “objections” and another styled “motion for a court order,” claiming that the assigned district judge failed to consider his objections before entering judgment in this case. Plaintiff is in error. He never filed objections to the undersigned’s findings and recommendations which recommended dismissal of this action.

By way of background, on March 23, 2010, plaintiff filed an amended complaint in this action. (Doc. No. 15.) On April 22, 2010, the court determined that service was appropriate on seven named defendants and ordered plaintiff to complete and return service documents within thirty days. (Doc. No. 17.) In response to the court’s order, plaintiff filed a motion for a stay. (Doc. No. 18.) On June 28, 2010, the court denied the motion for a stay but granted plaintiff an additional thirty days to complete and return the service documents. (Doc.

1 No. 19.) Plaintiff failed to timely return the service documents. Accordingly, on August 26,
2 2010, the undersigned issued findings and recommendations, recommending dismissal of this
3 action. (Doc. No. 21.) While those findings and recommendations were pending, plaintiff filed
4 objections to the undersigned's order denying his motion for a stay. (Doc. No. 22.) On
5 September 27, 2010, the assigned district judge considered plaintiff's objections and affirmed the
6 undersigned's order denying plaintiff's motion for a stay. (Doc. No. 23.) Then, on September
7 30, 2010, the assigned district judge adopted the findings and recommendations recommending
8 dismissal of the action due to plaintiff's failure to timely return the service documents. (Doc. No.
9 24.) Plaintiff never filed any objections to the findings and recommendations recommending
10 dismissal of this action.

11 Accordingly, IT IS HEREBY ORDERED that plaintiff's "objections" and
12 "motion for a court order" are denied. Any documents filed by plaintiff in the future will be
13 disregarded and no orders will issue in response to future filings.

14 DATED: March 8, 2011.

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17 _____
18 DALE A. DROZD
19 UNITED STATES MAGISTRATE JUDGE

19 DAD:9:mp
20 beny2462.58