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

DAVID WAYNE JOHNSON,

Petitioner,

No. CIV S-10-1568 KJM DAD P

vs.

SWARTHOUT, Warden,

Respondent.

ORDER

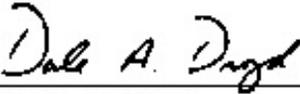
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Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 22, 2011, the undersigned issued findings and recommendations, recommending that respondent’s motion to dismiss be denied. While the findings and recommendations were pending, petitioner filed a motion requesting that the assigned district judge rule on those findings and recommendations. On August 12, 2011, the assigned district judge adopted the findings and recommendations in full and ordered respondent to file an answer to petitioner’s amended petition within sixty days, thereby rendering petitioner’s motion for a ruling moot.

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1 Accordingly, IT IS HEREBY ORDERED that petitioner's motion for a ruling on
2 the findings and recommendations (Doc. No. 18) is denied as moot.

3 DATED: August 23, 2011.

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6 _____
7 DALE A. DROZD
8 UNITED STATES MAGISTRATE JUDGE

7 DAD:9
8 john1568.moot

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