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

RICHARD CORDERO,

Petitioner,

No. CIV S-10-1899 GEB DAD P

vs.

MICHAEL D. McDONALD,

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner is a state prisoner proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 4, 2011, this court issued findings and recommendations finding that this action is barred by the applicable statute of limitations and recommending that respondent’s September 21, 2010 motion to dismiss on that ground, unopposed by petitioner, be granted. On April 13, 2010, petitioner filed a motion for a sixty day extension of time to file objections to the findings and recommendations. By order filed April 26, 2011, petitioner was granted sixty days in which to file and serve objections to this court’s April 4, 2011 findings and recommendations and, as appropriate, a proposed opposition to respondent’s September 21, 2010 motion to dismiss. On May 16, 2011, petitioner filed objections to the findings and recommendations and a proposed opposition to the motion to dismiss.

Good cause appearing, IT IS HEREBY ORDERED that:

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1. The findings and recommendations filed April 4, 2011 are vacated;
2. Petitioner is granted twenty-one days from the date of this order in which to file and serve evidence in support of his assertions concerning the lockdowns at High Desert State Prison and the effect of said lockdowns on access to the prison law library and legal materials; and
3. Respondent is granted fourteen days thereafter in which to file and serve a reply to petitioner's opposition to respondent's motion to dismiss.

DATED: May 25, 2011.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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