

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNY LYNN WARREN,  
Petitioner,  
v.  
DOMINGO URIBE, JR.,  
Respondent.

No. 2:10-cv-2120-MCE-EFB P

ORDER

Petitioner is a state prisoner proceeding without counsel with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On May 30, 2013, the undersigned issued findings and recommendations recommending that habeas relief be denied on all of petitioner’s claims. Petitioner filed objections to those findings and recommendations on June 21, 2013. On August 26, 2013, the assigned district judge adopted the May 30, 2013 findings and recommendations, habeas relief was denied, and judgment was entered.


On September 27, 2013, petitioner filed an appeal from the district court’s August 26, 2013 order. On May 30, 2014, the Court of Appeals for the Ninth Circuit issued an order denying petitioner’s motion for a certificate of appealability and “all pending motions.” On August 28, 2014, petitioner filed a timely motion pursuant to Fed. R. Civ. P. 60(b)(3). ECF No. 75. Good cause appearing, respondent will be ordered to file a response to petitioner’s Rule 60(b)(3) motion within thirty days.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, IT IS HEREBY ORDERED that:

1. Respondent shall file a response to petitioner’s August 28, 2014 Rule 60(b)(3) motion within thirty days from the date of this order.
2. Petitioner may file a reply to respondent’s response within fourteen days of the filing of the response.

DATED: March 4, 2015.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE