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

MICHAEL GREENE,

Petitioner,

No. CIV S-10-2433 LKK DAD P

vs.

J.W. HAVILAND,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 13, 2010, the court filed findings and recommendations recommending that this action be dismissed due to petitioner’s failure to file a new application to proceed in forma pauperis. On January 4, 2011, petitioner filed a request for an extension of time to file his objections to the findings and recommendations. However, court records indicate that on January 11, 2011, the filing fee was paid for this case.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The findings and recommendations, filed on December 13, 2010, are vacated;

and

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1 2. Petitioner's January 4, 2011 request for an extension of time (Doc. No. 11) is
2 denied as unnecessary.

3 DATED: January 26, 2011.

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

7 DAD:4
8 gree2433.vac

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