

**FILED**

UNITED STATES COURT OF APPEALS

JAN 11 2012

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ANTHONY BRYANT TILLMAN,

Plaintiff - Appellant,

v.

BOARD OF PAROLE HEARINGS,

Defendant - Appellee.

No. 11-18032

D.C. No. 2:11-cv-01011-MCE  
Eastern District of California,  
Sacramento

ORDER

Before: CANBY, SILVERMAN, and PAEZ, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable. *See Serine v. Peterson*, 989 F.2d 371, 372-73 (9th Cir. 1993) (magistrate judge’s findings and recommendations not appealable; premature appeal not cured by subsequent entry of final judgment by district court). Appellant has not filed a notice of appeal from the district court’s final judgment entered on January 9, 2012. Consequently, this appeal is dismissed for lack of jurisdiction.

**DISMISSED.**