

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

FEB 13 2012

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-DAD  
U.S. District Court for Eastern  
California, Sacramento

**MANDATE**

The judgment of this Court, entered January 11, 2012, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule  
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:  
Molly C. Dwyer  
Clerk of Court

Synitha Walker  
Deputy Clerk

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

JAN 11 2012

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.**