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

THOMAS L. GOFF,

Petitioner,

vs.

No. 2:11-cv-3251 WBS AC P

M. SALINAS, Warden

Respondent.

ORDER

_____ /

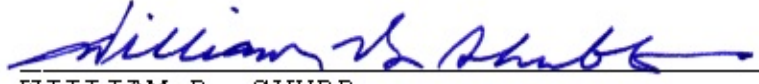
On September 11, 2012, the Magistrate Judge issued an order denying petitioner’s motion appointment of counsel. On January 30, 2013, petitioner filed a request for reconsideration of that order. Local Rule 303(b), states “rulings by Magistrate Judges shall be final if no reconsideration thereof is sought from the Court within fourteen days . . . from the date of service of the ruling on the parties. . .” E.D. Local Rule 303(b). Petitioner’s request for reconsideration of the magistrate judge’s order of September 11, 2012 is therefore untimely.

Accordingly, IT IS HEREBY ORDERED that petitioner’s request for reconsideration (Docket No. 28) is denied.

Because there is no appeal pending, and because the procedures of California Penal Code are inapplicable to these proceedings, IT IS FURTHER ORDERED that petitioner’s Motion for Appointment of Appellate Counsel Pursuant to Penal Code Section § 1240 (Docket

1 No. 29) is also denied.

2 DATED: February 13, 2013

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4 WILLIAM B. SHUBB
5 UNITED STATES DISTRICT JUDGE

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