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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIGUEL ENRIQUE DIAZ,
Plaintiff,
v.
ASSOCIATE WARDEN HURLEY, et al.,
Defendants.

No. 2:15-cv-2083 GEB KJN P

ORDER

On November 21, 2017, the undersigned adopted the findings and recommendations (ECF No. 35), noting plaintiff failed to file objections. However, on November 21, 2017, plaintiff's first motion for extension of time to file objections to the findings and recommendations was entered on the court's docket. (ECF No. 36.) Plaintiff's motion was received by the court on November 20, 2017, and signed by plaintiff on November 15, 2017. Under the mailbox rule, plaintiff's motion for extension of time was timely filed. Houston v. Lack, 487 U.S. 266, 275-76 (1988) (pro se prisoner filing is dated from the date prisoner delivers it to prison authorities).

Good cause appearing, IT IS HEREBY ORDERED that:

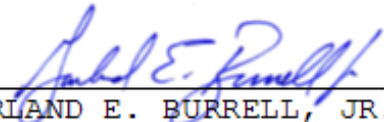
1. The November 21, 2017 order (ECF No. 36) is vacated;
1. Plaintiff's motion for an extension of time (ECF No. 37) is granted; and

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2. Plaintiff is granted thirty days from the date of this order in which to file objections to the findings and recommendations.

Dated: December 8, 2017



GARLAND E. BURRELL, JR.
Senior United States District Judge