

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

WALLACE B. JAMES, aka,
JAMES B. WALLACE,

Petitioner,

vs.

Civil Action 2:06-CV-130
Judge Smith
Magistrate Judge King

D. TIMMERMAN-COOPER, Warden,

Respondent.

ORDER

On October 20, 2006, petitioner was granted an extension of time to file objections to the *Report and Recommendation*. Doc. No. 12. On October 23, 2006, an order adopting the *Report and Recommendation* was inadvertently entered. Doc. No. 13.

The order adopting the *Report and Recommendation*, Doc. No. 13, is **VACATED**, as is the judgment entered in this action, Doc. No. 14.

The Clerk shall RESTORE this case to the active docket of this Court.

s/George C. Smith
George C. Smith, Judge
United States District Court