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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEPHEN JACKSON  
Plaintiff,  
v.  
CLEAR RECON CORP., BANK OF  
AMERICA, N.A., and STEWART TITLE,  
Defendants.

No. 2:15-cv-00968 TLN AC

ORDER

On July 28, 2016, after plaintiff failed to timely respond to defendants’ motion to dismiss, this court ordered plaintiff to show cause why the complaint should not be dismissed with prejudice for failure to prosecute. ECF No. 45. When plaintiff failed to respond to the Order to Show Cause, the undersigned issued Findings and Recommendations on August 12, 2016, recommending dismissal of this case for failure to prosecute. ECF No. 47. Because it appears that plaintiff’s Opposition to the Motion to Dismiss was filed on August 11, 2016, ECF No. 46, the Findings and Recommendations will be vacated and the Order to Show Cause discharged.

Accordingly, IT IS HEREBY ORDERED AS FOLLOWS:

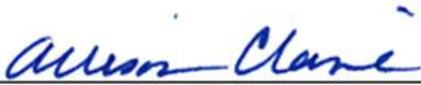
- 1. The Order to Show Cause dated July 28, 2016 (ECF. No. 45) is discharged;
- 2. The Findings and Recommendations filed on August 12, 2016 (ECF No. 47) are withdrawn;

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3. Defendants' Motion to Dismiss (ECF No. 42) is taken under submission for determination by the court.

IT IS SO ORDERED.

DATED: August 16, 2016

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE