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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAJ SINGH,

Plaintiff,

v.

CITY OF SACRAMENTO, et al.,

Defendants.

No. 2:15-cv-0997 MCE AC (PS)

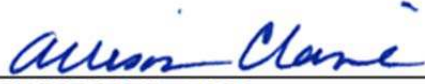
ORDER

Plaintiff is proceeding in this action in pro per, and in forma pauperis (“IFP”) pursuant to 28 U.S.C. § 1915. This proceeding was referred to the undersigned by E.D. Cal. R. 302(c)(21).

On December 3, 2015, the undersigned recommended that this action be dismissed for lack of prosecution after plaintiff repeatedly failed to file a statement establishing that he had submitted the required service documents to the U.S. Marshal. ECF No. 10. On December 8, 2015, however, a Waiver of Service of Summons was filed, showing service of the summons and complaint on defendant City of Sacramento. ECF No. 11. The case may therefore proceed, and the court notes that defendant has now moved to dismiss the complaint.

Accordingly, IT IS HEREBY ORDERED that the December 3, 2015 Findings and Recommendations (ECF No. 10) are VACATED.

DATED: January 6, 2016


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE