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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DONALD GLASS,

Plaintiff,

v.

R. BEER, et al.,

Defendants.

CASE NO. 1:04-cv-05466-OWW-SMS PC

ORDER DIRECTING PLAINTIFF TO ADVISE IF HE DESIRES MONEY ORDER FROM NURSE KOEPPE TO BE SENT TO MICHELLE FRANKLIN AND, IF NOT, TO ADVISE WHERE HE DESIRES IT TO BE SENT.

_____ /

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Donald Glass, a state prisoner proceeding pro se. This matter was set for jury trial to begin on May 11, 2010. However, on May 5, 2010, the parties entered into a stipulation for voluntary dismissal such that the trial was vacated.

On May 10, 2010, an order issued directing Plaintiff to advise where he would like the Court to send the money order received from one of the unincarcerated witnesses (J. Rangel). On July 6, 2010, Plaintiff advised via motion that he desired returned unincarcerated witness fees money orders to be sent to "Mrs. Michelle Franklin, 3142 W. 76th Street, Los Angeles, CA 90043." (Doc. 241.)

On January 12, 2011, a money order was received from Defendant Koeppe. The Court recognizes that, due to the passage of time, Mrs. Franklin may no longer reside at the address on 76th Street, or Plaintiff may desire the money order from Defendant Koeppe to be sent to someone else.

Accordingly, within twenty (20) days of the date of service of this order, Plaintiff is **HEREBY ORDERED** to advise the Court, under penalty of perjury, where he would like the Court

1 to send the money order. If Plaintiff does not respond within twenty (20) days of the date of service
2 of this order, the money order from Defendant Koepe will be forwarded to Mrs. Michelle Franklin
3 at 3142 W. 76th Street, Los Angeles, CA 90043.

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8 IT IS SO ORDERED.

9 **Dated: January 13, 2011**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE