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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTONIO CORTEZ BUCKELY,

Plaintiff,

1: 04 CV 05622 OWW YNP SMS (PC)

vs.

ORDER

A. K. SCRIBNER, et al.,

Defendants.

The operative complaint in this action was dismissed for failure to state a claim upon which relief could be granted. Plaintiff failed to file an amended complaint, and a recommendation of dismissal was entered. Plaintiff filed objections to findings and recommendations.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations entered on July 13, 2009, are vacated.
2. Plaintiff is granted an extension of time of thirty days from the date of service of this order in which to file an amended complaint in compliance with the order of May 29, 2009.

IT IS SO ORDERED.

Dated: February 19, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE