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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTONIO CORTEZ BUCKLEY,

Plaintiff,

v.

EDWARD ALAMEIDA, JR., et al.,

Defendants.

CASE NO. 1:04-cv-05688-OWW-GSA PC

ORDER GRANTING DEFENDANTS’
REQUEST TO WITHDRAW FEBRUARY 12,
2010 MOTION TO DISMISS

(Docs. 114 and 117)

CLERKS OFFICE TO TERMINATE
DEADLINES

Plaintiff Antonio Cortez Buckley is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 2000cc-1 (the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”)).

On February 12, 2010, Defendants Calderon, Johnson, Mack, Chappel, Woodley, Winett, Papac, Kordan, Traynham, Howard, Meadors, Barker, Reed, and Vo (Defendants) filed a motion to dismiss Plaintiff’s complaint under Federal Rule of Civil Procedure 41(b), because Plaintiff failed to comply with the Court’s October 20, 2009-Order, ordering Plaintiff to pay \$474.00 in sanctions. (Doc. 114.) On February 26, 2010, Plaintiff filed his opposition to Defendants’ motion to dismiss, asserting that he made a good faith effort to comply with the order, and has requested that \$474.00 be withdrawn from his inmate trust account. (Doc., 115.) On March 4, 2010, Defendants filed a request to withdraw their motion to dismiss based on confirmation that Plaintiff has in fact submitted the required documents to make the \$474.00 payment from his inmate trust account, which will be paid to the Office of the Attorney General.

