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

ROBERT ROGERS,

Plaintiff,

1: 05 CV 0569 AWI WMW PC

vs.

ORDER

A. K. SCRIBNER, et al.,

Defendants.

On November 4, 2005, findings and recommendations were entered, recommending dismissal of this action for failure to obey a court order. On November 17, 2005, Plaintiff filed objections to the findings and recommendations.

Accordingly, IT IS HEREBY ORDERED that the November 4, 2005, recommendation of dismissal is vacated.

IT IS SO ORDERED.

**Dated: February 5, 2009**

**/s/ William M. Wunderlich**  
**UNITED STATES MAGISTRATE JUDGE**