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6	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA		
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9	CLARENCE HOWARD,	CASE NO. 1:05-cv-00906-AWI-SAB (PC)	
10	Plaintiff,	ORDER INSTRUCTING PLAINTIFF TO CLARIFY HIS "PRE-TRIAL MOTION"	
11	V.	(ECF No. 81.)	
12	GRADTILLO, et al.,	TWENTY-ONE-DAY DEADLINE	
13	Defendants.	/	
14			
15	Plaintiff Clarence Howard ("Plaintiff") is a state prisoner proceeding pro se and in forma		
16	pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff's civil action was		
17	originally filed on June 13, 2005 and a first amended complaint was filed on June 22, 2009. (ECF		
18	Nos. 1 & 22.) On March 16, 2012, Defendants filed a motion for summary judgment. (ECF No. 79.)		
19	On May 8, 2012, Plaintiff filed a "Memorandum in Support of Plaintiff's Pre-Trial Motion." (ECF		
20	No. 81.)		
21	The Court is unable to determine if Plaintiff's "Memorandum in Support of Plaintiff's Pre-		
22	Trial Motion" is an opposition to Defendants' motion for summary judgment or an attempt to file		
23	a motion for summary judgment. The Court will not speculate as to Plaintiff's intentions regarding		
24	this matter.		
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1	Accordingly, within twenty-one (21) days of the issuance of this order, Plaintiff SHALL		
2	notify the Court in writing whether his "Memorandum in Support of Plaintiff's Pre-Trial Motion"		
3	is an opposition to Defendants' motion for summary judgment or a motion for summary judgment.		
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5	IT IS SO O	RDERED.	
6	Dated: <u>Fe</u>	bruary 8, 2013	/s/ Stanley A. Boone UNITED STATES MAGISTRATE JUDGE
7			UNITED STATES MAGISTRATE JUDGE
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