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

ANTHONY GOMEZ,

Plaintiff,

vs.

1: 06 CV 00244 AWI YNP SMS (PC)

ORDER VACATING FINDINGS AND  
RECOMMENDATIONS (DOC 14)

A. MALFI, et al.,

Defendants.

On May 20, 2009, an order was entered, dismissing the First Amended Complaint and granting Plaintiff leave to file a Second Amended Complaint. Plaintiff failed to do so, and on June 23, 2009, a recommendation of dismissal was entered. On June 26, 2009, an order was entered, granting Plaintiff's motion for extension of time. On July 6, 2009, Plaintiff filed a Second Amended Complaint, along with objections to the findings and recommendations.

Accordingly, IT IS HEREBY ORDERED that the June 23, 2009, recommendation of dismissal is vacated.

IT IS SO ORDERED.

**Dated:** August 10, 2009

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE