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6   **IN THE UNITED STATES DISTRICT COURT**

7   **FOR THE EASTERN DISTRICT OF CALIFORNIA**

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9   Dwight A. Staten,   )   No. CV 1-06-0631-DCB   P
)

10   Plaintiff,   )   **ORDER**
)

11   vs.   )
)

12   Arthur Calderon, et al.,   )
)

13   Defendants.   )
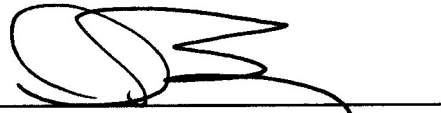   )

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15   Plaintiff, Dwight A. Staten, who is confined in the California State Prison in

16 Corcoran, California, has filed a *pro se* civil rights Second Amended Complaint pursuant to

17 42 U.S.C. § 1983. (Doc. No. 38.) The Court previously granted Plaintiff time to file a notice

18 of substitution of parties for Defendants Officers "S" and "E." (Doc. No. 40.)

19   Plaintiff has filed a request for the Court to require Defendant Warden Arthur

20 Calderon to produce the full names of the employees "S & E" Officers of 2nd watch 270 yard

21 from September 2002, named as Defendants in this action..

22   IT IS ORDERED that Plaintiff's request is GRANTED in that Defendant Warden

23 Arthur Calderon should, if possible, provide to Plaintiff Staten the first and last names of

24 the Officers referred to as "S & E" who, in September 2002 as alleged in the Complaint,

25 failed to take Plaintiff for dental treatment during a prison lockdown. Defendant Warden

26 Arthur Calderon should provide those names to Plaintiff within 20 days of receipt of this

27 Order. Plaintiff will have 20 days from the date he receives the names to file the notice of

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substitution providing each Defendant's name in place of Officer S and Officer E. The Clerk of the Court should then comply with the Court's Order dated January 28, 2009. (Doc. No. 40). **If Plaintiff fails to file a "notice of substitution" of parties on or before June 1, 2009, the Clerk of Court must, without further notice, enter a judgment of dismissal of this action without prejudice.** <u>See</u> **Fed. R. Civ. P. 41(b).**

DATED this 2nd day of April, 2009.

David C. Bury
United States District Judge