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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE EASTERN DISTRICT OF CALIFORNIA
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7 MAUWAI FARHA,

8 Plaintiff,

9 vs.

1: 06 CV 0755 OWW WMW PC

ORDER

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12 B. SILVA, et al.,

13 Defendants.
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15 On February 18, 2009, findings and recommendations were entered, recommending
16 dismissal of this action for Plaintiff's failure to respond to the order of January 13, 2009. That
17 order directed Plaintiff to inform the court whether he intended to proceed on the original
18 complaint or file an amended complaint. Plaintiff has submitted a proposed amended complaint.

19 Accordingly, IT IS HEREBY ORDERED that the February 18, 2009, recommendation of
20 dismissal is vacated. This action proceeds on April 28, 2009, first amended complaint.
21

22 IT IS SO ORDERED.

23 **Dated: April 30, 2009**

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE