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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ERIC CHARLES RODNEY K'NAPP, 1:06-cv-01701-LJO-GSA-PC

Plaintiff,

v.

D. G. ADAMS, et al.,

Defendants.

ORDER VACATING MOTION  
TO DISMISS FROM COURT'S  
CALENDAR

(Doc. 40.)

\_\_\_\_\_ /

Plaintiff Eric Charles Rodney K'napp ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On February 19, 2010, Defendant filed a Motion to dismiss this action. (Doc. 40.) On August 23, 2010, the Magistrate Judge issued Findings and Recommendations to grant in part and deny in part Defendants' Motion to dismiss. (Doc. 51.) Plaintiff was granted an opportunity to file Objections to the Findings and Recommendations within thirty days. On September 16, 2010, Plaintiff requested an extension of time in which to file the Objections. (Doc. 52.) On September 17, 2010, the Court granted Plaintiff a thirty-day extension of time in which to file Objections. (Doc. 53.)

In light of 28 U.S.C. § 476(a)(1), the Civil Justice Reform Act, the Motion to dismiss is **HEREBY DEEMED VACATED** from the Court's calendar until such time as Plaintiff files his Objections or the Motion is ripe for final adjudication.

IT IS SO ORDERED.

**Dated: September 20, 2010**

**/s/ Lawrence J. O'Neill**

UNITED STATES DISTRICT JUDGE

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