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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DERWIN JULES JACKSON,
Plaintiff,

v.

W. SULLIVAN, et al.,
Defendants.

1:07-cv-00178-DAD-GSA-PC

**ORDER FOR PLAINTIFF TO FILE
STATUS REPORT WITHIN
FOURTEEN DAYS**

I. DISCUSSION

Derwin Jules Jackson (“Plaintiff”) is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. § 1983. On March 30, 2011, the court granted Defendants’ motion for summary judgment and entered judgment against Plaintiff, closing this case. (ECF Nos. 70, 71.) On April 13, 2011, Plaintiff filed a notice of appeal, which was forwarded to the Ninth Circuit Court of Appeals and opened as appeal case #11-15932. (ECF Nos. 72-74.)

On April 12, 2017, the Ninth Circuit issued an order reversing the court’s order in part and remanding the case to the district court. (ECF No. 81.) On June 8, 2017, the Ninth Circuit amended its order, affirming in part and reversing in part the court’s order and remanding the case to the district court to proceed against defendants Meadors and Cobbs on Plaintiff’s Eighth Amendment claim for denial of access to the prison yard. (ECF No. 85.)

1 Upon receipt of the Ninth Circuit’s mandate, which may be issued within a month, the
2 court anticipates setting a schedule for trial in this case. At this stage of the proceedings,
3 Plaintiff shall be required to file a status report, informing the court whether he intends to
4 continue to litigate this case.

5 **II. CONCLUSION**

6 Based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. Within **fourteen (14) days** of the date of service of this order, Plaintiff is
8 required to file a status report, informing the court whether he intends to litigate
9 this case; and
10 2. Plaintiff’s failure to comply with this order may result in the dismissal of this
11 case.

12 IT IS SO ORDERED.

13 Dated: June 13, 2017

14 /s/ Gary S. Austin
15 UNITED STATES MAGISTRATE JUDGE
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