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7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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10 MICHAEL J. COE,

CASE NO. 1:07-cv-00683 AWI DLB PC

11 Plaintiff,

ORDER DIRECTING PLAINTIFF TO RESPOND  
TO MOTION TO DISMISS

12 vs.  
13

14 JAMES A. YATES, et al.,

15 Defendants.

TWENTY DAY DEADLINE  
16 \_\_\_\_\_/

17 Plaintiff Michael J. Coe ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis  
18 in this civil rights action pursuant to 42 U.S.C. § 1983. On July 28, 2009, Defendant Greene filed a  
19 motion to dismiss pursuant to the unenumerated portion of Rule 12(b) of the Federal Rules of Civil  
20 Procedure. Plaintiff has not filed an opposition or statement of non-opposition to the motion. Local Rule  
21 78-230.

22 Plaintiff is HEREBY ORDERED to file a response to the motion within twenty (20) days of  
23 service of this order. Failure to comply with this order will result in a recommendation that this action  
24 be dismissed for failure to obey a court order.

25  
26 IT IS SO ORDERED.

27 Dated: August 21, 2009

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE