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

JUAN C. CALDERON,

CASE NO. 1:07-cv-1719-LJO-YNP PC

Plaintiff,

ORDER VACATING FINDINGS AND  
RECOMMENDATIONS

v.

JEANNE WOODFORD, et al.,

Defendants.

On March 17, 2009, an order was entered, dismissing Plaintiff’s First Amended Complaint, with leave to file a Second Amended Complaint within 30 days. Plaintiff failed to file a Second Amended Complaint within thirty days, and on April 27, 2009 a recommendation of dismissal was entered. The same day, Plaintiff filed a motion for extension of time to file a Second Amended Complaint. Plaintiff’s motion for extension of time was granted, and Plaintiff filed his Second Amended Complaint on June 22, 2009.

Good cause appearing, IT IS HEREBY ORDERED that:

- 1. The March 17, 2009 recommendation of dismissal is vacated.

IT IS SO ORDERED.

**Dated: September 1, 2009**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE