

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FRED PRICE,

Plaintiff,

v.

S. R. CUNNINGHAM, et al.,

Defendants.

CASE NO. 1:08-cv-00425-AWI-SKO PC

ORDER VACATING DEFENDANTS'
MOTION TO DISMISS FROM COURT'S
CALENDAR PENDING OBJECTION
DEADLINE

(Docs. 19 and 27)

On June 15, 2010, Defendants Cunningham and Mullins filed a motion seeking revocation of Plaintiff's in forma pauperis status pursuant to 28 U.S.C. § 1915(g), and the Magistrate Judge recommended the motion be granted on March 10, 2011. The objection deadline does not expire until April 14, 2011, and the parties have fourteen days, plus three days for service, which to file a response to any objections. Fed. R. Civ. P. 6(d); Local Rule 304(d).

In light of 28 U.S.C. § 476(a)(1), the Civil Justice Reform Act, and because the Court cannot yet rule on Defendants' pending motion, the motion is DEEMED VACATED from the Court's calendar until (1) objections are timely filed and the response period expires, or (2) the thirty-day objection period expires without receipt of objections.¹

IT IS SO ORDERED.

Dated: March 22, 2011


CHIEF UNITED STATES DISTRICT JUDGE

¹ The Court's action is purely administrative and the parties need take no further action. Once the objection period is closed, the Court will issue its ruling on the motion.