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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

STEVE C. MOORE,

Plaintiff,

v.

C/O HEISEY,

Defendant.

CASE NO. 1:08-cv-00860-SKO PC

ORDER REQUIRING DEFENDANT TO FILE  
STATUS REPORT IN COMPLIANCE WITH  
ORDER FILED JANUARY 21, 2011

(Doc. 52)

TEN-DAY DEADLINE

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Plaintiff Steve C. Moore, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 19, 2008. This action is proceeding against Defendant Heisey on Plaintiff’s Eighth Amendment excessive force claim and was scheduled for jury trial on February 7, 2011.

On January 21, 2011, the Court issued an order vacating the trial date pursuant to the parties’ notice of their agreement to settle the case. Defendant was ordered to file a status report on March 21, 2011, unless the parties’ stipulation to dismiss the action was filed with the Court prior to that date. The Court is not in receipt of a stipulation to dismiss this action or a status report.

Accordingly, within **ten (10) days** from the date of service of this order, Defendant shall file a status report in compliance with the order of January 21, 2011.

IT IS SO ORDERED.

**Dated: March 24, 2011**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE