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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY GASTON,

CASE NO. 1:08-cv-01629-SKO PC

Plaintiff,

ORDER

v.

TERRONEZ,

Defendant.

Plaintiff Anthony Gaston ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Defendant has not filed an answer to Plaintiff's complaint. Defendant filed a motion to dismiss on December 24, 2009, that was denied on July 28, 2010. (Docs. #15, 27.)

Pursuant to Federal Rule of Civil Procedure 12(a)(4), Defendant's answer was due within fourteen (14) days after Defendant's motion to dismiss under Rule 12 was denied. Defendant's answer is late.

Accordingly, Defendant is HEREBY ORDERED to file an answer to Plaintiff's complaint within fourteen (14) days of the date of service of this order. No extensions of time will be granted for the filing of Defendant's answer.

IT IS SO ORDERED.

Dated: September 27, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE