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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

NICK WOODALL,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

CASE NO. 1:08-CV-01948-OWW-DLB PC

ORDER REQUIRING DEFENDANTS TO
RESPOND TO PLAINTIFF’S MOTION

(DOC. 52)

RESPONSE DUE WITHIN 15DAYS

_____/

Plaintiff Nick Woodall (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation, proceeding pro se and in forma pauperis. This action is proceeding on Plaintiff’s complaint against Defendants Valdez, Raygosa, Sexton, Olive, Gonzalez, and Lawson. On September 30, 2010, Plaintiff filed a motion requesting an extension of time for service of process on Defendant Valdez. Plaintiff contends that Defendant L. Valdez who appeared in this action is the incorrect Defendant. Plaintiff contends that the correct Defendant Valdez is male; the one who appeared is female.

Plaintiff requests that Defendant L. Valdez be dismissed from this action and that he be provided an extension of time for service of process on the correct Defendant. Prior to adjudicating Plaintiff’s motion, the Court will require Defendants to respond. Accordingly, it is **HEREBY ORDERED** that Defendants are to file a response to Plaintiff’s motion within **fifteen days** from the date of service of this order.

IT IS SO ORDERED.

Dated: October 8, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE