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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY McKINNEY,

Plaintiff,

vs.

1: 09 CV 00726 AWI YNP SMS (PC)

ORDER

S. CRAMMER, et al.,

Defendants.

On October 9, 2009, findings and recommendations were entered, recommending dismissal of this action for Plaintiff's failure to file an amended complaint. On October 13, 2009, Plaintiff filed a motion for extension of time in which to file an amended complaint. The motion was granted on October 20, 2009.

Accordingly, IT IS HEREBY ORDERED that the October 9, 2009, findings and recommendations are vacated.

IT IS SO ORDERED.

Dated: November 10, 2009

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE