1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 9 ANTHONY CRAIG HUCKABEE, CASE NO. 1:09-cv-00749-LJO-BAM PC 10 Plaintiff, ORDER REQUIRING COUNSEL, SCOT GINTHER, TO FILE MOTION OR STATUS 11 v. REPORT MEDICAL STAFF at CSATF, et al., 12 (ECF No. 21) 13 Defendants. ORDER VACATING ORDER REQUIRING DEFENSE COUNSEL TO FILE A STATUS REPORT 14 15 (ECF No. 23) 16 TEN-DAY DEADLINE 17 18 Plaintiff Anthony Craig Huckabee ("Plaintiff") is a state prisoner proceeding pro se and in 19 forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On September 9, 2011, an order issued appointing attorney Scot Ginther to represent Plaintiff in this action. An order requiring 20 21 Plaintiff to either file an amended complaint or notify the court that he wished to proceed on the 22 cognizable claims issued on September 29, 2011. On December 1, 2011, a motion for an extension of time was filed in which Mr. Ginther indicated that he was going to be withdrawing as counsel for 23 Plaintiff. As of this date no motion to withdraw has been filed. On January 13, 2012, an order 24 25 issued requiring Mr. Ginther to notify the court within ten days of the status of his representation of 26 Plaintiff; however, the caption of the order was incorrect. 27 /// 28 ///

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Accordingly, the order requiring defense counsel to file a status report, issued January 13, 2012, is VACATED. Mr. Ginther is ORDERED to file either a motion to withdraw or a status report indicating his intent to continue representation of Plaintiff in this action, within ten days from the date of service of this order. Failure to comply with this order may result in imposition of sanctions. IT IS SO ORDERED. **Dated: January 31, 2012** /s/ Barbara A. McAuliffe UNITED STATES MAGISTRATE JUDGE