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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA

8 JERRY EMANUEL POLLARD,

CASE NO. 1:09-cv-1232-LJO-MJS (PC)

9 Plaintiff,

ORDER VACATING FINDINGS AND
RECOMMENDATION

10 v.

(Doc. 20)

11 K. HARRINGTON, et al.,

12 Defendants.
13
14 _____/

15 Plaintiff Jerry Emanuel Pollard ("Plaintiff") is a state prisoner proceeding pro se and
16 in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On May 7, 2010,
17 the Court recommended that Plaintiff's Motion to Reissue Personal Property be denied
18 because there was no operative pleading in the case. (ECF No. 20.) Plaintiff filed an
19 Amended Complaint on June 4, 2010.

20 Because there is currently an operative pleading in this case, the Court's
21 recommendation that Plaintiff's motion be denied is no longer appropriate. Accordingly,
22 the Court's Findings and Recommendation (ECF No. 20) is VACATED.
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25 IT IS SO ORDERED.

26 Dated: July 23, 2010

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE