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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WILLIAM P. GARCIA,

Plaintiff,

v.

KEN CLARK, et al.,

Defendants.

CASE NO. 1:10-cv-00447-LJO-DLB PC

ORDER DISCHARGING ORDER TO SHOW CAUSE (ECF No. 86)

ORDER VACATING SECOND SCHEDULING ORDER (ECF No. 74)

ORDER REQUIRING PLAINTIFF TO FILE DECLARATION REGARDING PLAINTIFF'S ABILITY TO PRESENT CASE (ECF No. 88)

Plaintiff William P. Garcia ("Plaintiff") is a prisoner in the custody of the California Department of Corrections and Rehabilitation. Plaintiff is proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's first amended complaint, filed May 24, 2010, against Defendants K. Allison, F. Diaz, D. Ibarra, S. Knight, C. Palmer, R. Santos, R. Tolson, K. Turner, and C. Walters for violation of the First Amendment, the Equal Protection Clause of the Fourteenth Amendment, and the Religious Land Use and Institutionalized Persons Act of 2000.

On August 24, 2012, United States Magistrate Judge Dennis Beck issued a Second Scheduling Order. A telephonic trial confirmation hearing was scheduled for February 7, 2013 at 8:30 a.m. Plaintiff was provided until January 17, 2013 by which to file his pretrial statement in this matter. Plaintiff did not comply. On January 29, 2013, the Court issued an order to show cause why this action should not be dismissed for failure to obey a court order. On February 7, 2013, Plaintiff filed his response. Accordingly, the order to show cause is discharged.

Plaintiff declares the following. Plaintiff contends that Plaintiff suffers from severe nerve

