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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

TIMOTHY BERTRAM,  
Plaintiff,  
v.  
C. SIZELOVE, et al.,  
Defendants.

1:10cv00583 AWI DLB PC

**ORDER VACATING FINDINGS AND  
RECOMMENDATIONS REGARDING  
DEFENDANT' MOTION FOR SUMMARY  
JUDGMENT**  
**(Document 101)**

Plaintiff Timothy Bertram ("Plaintiff") is proceeding pro se and in forma pauperis in this civil rights action filed on April 5, 2010.

In the interests of justice, the Court finds it necessary to VACATE the October 22, 2012, Findings and Recommendations regarding Defendants' Motion for Summary Judgment. Fed. R. Civ. Proc. 54(b). The parties need not submit additional briefing and the motion is deemed submitted pursuant to Local Rule 230(1).

IT IS SO ORDERED.

Dated: April 2, 2013

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE