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

ALFRED L. CROSS,

Plaintiff,

vs.

PAY IT FORWARD ANIMAL  
WELFARE NETWORK, INC.,  
et al.,

Defendants.

CASE NO. CV F 10-0680 LJO DLB

**ORDER TO VACATE ORDER FOR  
EXTENSION**

(Doc. 28.)

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This Court inadvertently issued an order dated August 5, 2010 to grant plaintiff Alfred Cross an extension up to September 7, 2010 to respond this Court's July 21, 2010 order to show cause. Thereafter this Court issued its order dated August 6, 2010 to deny an extension and to dismiss this action. The August 6, 2010 order controls and supercedes the August 5, 2010 order. As such, this Court:

1. VACATES the August 5, 2010 order and extension to respond to the order to show cause;
2. CONFIRMS dismissal of this action without prejudice; and
3. DIRECTS the clerk to close this action.

IT IS SO ORDERED.

**Dated: August 6, 2010**

**/s/ Lawrence J. O'Neill**

UNITED STATES DISTRICT JUDGE

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