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

DWAYNE MAYFIELD,

Plaintiff,

v.

M. MIX, et al.,

Defendants.

1:10cv01091 AWI DLB PC

**ORDER VACATING OCTOBER 22, 2010,  
SCREENING ORDER  
(Document 9)**

**ORDER VACATING JANUARY 12, 2011,  
ORDER DISMISSING DEFENDANT  
MASON  
(Document 14)**

**ORDER VACATING JULY 26, 2011,  
DISCOVERY AND SCHEDULING ORDER  
AND SUBSEQUENT MODIFICATIONS  
(Documents 25, 38 and 40)**

**ORDER DENYING MOTION FOR  
SUMMARY JUDGMENT WITHOUT  
PREJUDICE  
(Document 41)**

**ORDER DENYING PLAINTIFF'S  
MOTION FOR DISCOVERY EXTENSION  
WITHOUT PREJUDICE  
(Document 43)**

Plaintiff Dwayne Mayfield ("Plaintiff") is proceeding pro se and in forma pauperis in this civil rights action filed on June 16, 2010.

In the interests of justice, the Court finds it necessary to VACATE the October 22, 2010, screening order that found a cognizable claim against Defendant Mix, but not against Defendant Mason. Fed. R. Civ. Proc. 54(b). The Court also VACATES the January 12, 2011, order dismissing Defendant Mason from this action. The Court will issue an amended screening order.

1 As a result, the Court VACATES the July 26, 2011, Discovery and Scheduling Order and the  
2 June 5, 2012, and August 23, 2012, modifications. The Court will issue a new Discovery and  
3 Scheduling Order when appropriate.

4 Finally, the Court DENIES WITHOUT PREJUDICE Defendant Mix's October 1, 2012,  
5 Motion for Summary Judgment, and Plaintiff's October 3, 2012, Motion to Extend the Discovery  
6 Deadline.

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8 IT IS SO ORDERED.

9 Dated: January 8, 2013

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE

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