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

ALVARO QUEZADA,

CASE NO. 1:10-cv-01402-AWI-SAB (PC)

Plaintiff,

v.

ORDER VACATING FINDINGS AND  
RECOMMENDATIONS AND REFERRING  
ACTION BACK TO MAGISTRATE JUDGE

R. LINDSEY, et al.,

(ECF Nos. 17, 19)

Defendants.

Plaintiff Alvaro Quezada is a state prisoner appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On July 18, 2012, a findings and recommendations issued recommending this action be dismissed for failure to state a claim and failure to prosecute. (ECF No. 17.) Plaintiff filed a first amended complaint on July 25, 2012, and on August 3, 2012, objections to the findings and recommendations were filed. (ECF Nos. 118, 19.) This action was reassigned to Magistrate Judge Stanley A. Boone on January 4, 2013.

The Court has conducted a review of findings and recommendations and objections filed in this action. Based upon the review of this action, IT IS HEREBY ORDERED that:

1. The findings and recommendations, issued July 18, 2012, is VACATED; and
2. This action is referred to the Magistrate Judge for screening of the first amended complaint.

IT IS SO ORDERED.

Dated: February 20, 2013

  
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SENIOR DISTRICT JUDGE

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