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

DANA MCMASTER,  
Plaintiff,

v.

M. E. SPEARMAN, et al.,  
Defendants.

Case No. 1:10-cv-01407-AWI-SKO (PC)

ORDER REQUIRING PLAINTIFF TO FILE  
OPPOSITION OR STATEMENT OF NON-  
OPPOSITION TO DEFENDANTS' MOTION  
FOR SUMMARY JUDGMENT WITHIN  
FORTY-FIVE DAYS

(Doc. 65)

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Plaintiff Dana McMaster, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 6, 2010. This action is proceeding on Plaintiff's second amended complaint, filed January 3, 2013, against Defendants Carlson, Garcia, Sedwick, Espitia, and John Doe 1 for failing to protect him, in violation of the Eighth Amendment, and against Defendant Carlson for retaliation, in violation of the First Amendment.

On November 14, 2013, Defendant Carlson, Garcia, Sedwick, and Espitia filed a motion for summary judgment. The parties' outstanding discovery disputes have been resolved and discovery is now closed. (Doc. 78.)

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Accordingly, within **forty-five (45) days** from the date of service of this order, Plaintiff is ORDERED to file his opposition or statement of non-opposition to Defendants' motion for summary judgment.

IT IS SO ORDERED.

Dated: June 16, 2014

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE