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

JOHN DEAN MATTOX,	)	1:10-cv-01641-OWW-GSA-PC
	)	
Plaintiff,	)	ORDER VACATING FINDINGS
	)	AND RECOMMENDATIONS OF
vs.	)	NOVEMBER 17,2010
	)	(Doc. 6.)
SGT. CASTROL, et al.,	)	
	)	
Defendants.	)	
_____	)	

On November 17, 2010, the Court issued findings and recommendations, recommending that this action be dismissed for Plaintiff's failure to comply with the Court's order of September 17, 2010, requiring him to submit an application to proceed in forma pauperis or pay the \$350.00 filing fee for this action. (Doc. 6.) On November 22, 2010, Plaintiff submitted an application to proceed in forma pauperis. (Doc. 7.) In light of the fact that Plaintiff has submitted the application, IT IS HEREBY ORDERED THAT the findings and recommendations issued by the Court on November 17, 2010, are VACATED.

IT IS SO ORDERED.

**Dated: November 23, 2010**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE