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

LAWRENCE SMITH,)	Case No.: 1:10-cv-01814 - LJO - JLT
)	
Plaintiff,)	ORDER WITHDRAWING THE FINDINGS
)	AND RECOMMENDATIONS ISSUED
v.)	FEBRUARY 13, 2013
)	
K. ALLISON, et al.,)	
)	(Doc. 17)
Defendants.)	
)	
)	

On February 13, 2013, the Court recommended the action be dismissed for Plaintiff’s failure to prosecute and failure to comply with the Court’s order to file an amended complaint. (Doc. 17). Plaintiff was given fourteen days from the date of service to file any objections. *Id.* at 3. On February 15, 2013, Plaintiff filed a First Amended Complaint. (Doc. 18). Although untimely, it will be accepted by the Court. However, Plaintiff is admonished to comply with the deadlines set forth by the Court in the future, or dismissal will be recommended pursuant to Local Rule 110.

Accordingly, **IT IS HEREBY ORDERED:** The Findings and Recommendations issued February 13, 2013 are **WITHDRAWN**.

IT IS SO ORDERED.

Dated: February 21, 2013

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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