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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JESSE L. SERRANO,  
  
                                Plaintiff,  
  
          v.  
  
SCOTT RAWERS, et al.,  
  
                                Defendants.

CASE NO. 1:11-cv-00399-MJS (PC)  
  
ORDER DISCHARGING ORDER TO  
SHOW CAUSE  
  
(ECF No. 64)

Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. (ECF Nos. 1 & 8.) This action proceeds on Plaintiff’s First Amended Complaint (ECF No. 6.) against Defendant Lucas for violation of Plaintiff’s Eighth Amendment rights. (ECF Nos. 11 & 12.)

On May 4, 2015, the Court issued a second scheduling order, requiring Plaintiff to file and serve a pretrial statement on or before August 6, 2015. (ECF No. 48.) The deadline for Plaintiff to file a pretrial statement passed without Plaintiff filing his statement or seeking an extension of time to do so.

Accordingly, on August 14, 2015, the Court ordered Plaintiff to show cause why the action should not be dismissed with prejudice for failure to obey a court order or to file his pretrial statement. (ECF No. 64.) Shortly thereafter, Plaintiff’s pretrial statement

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was docketed. (ECF No. 65.)

Based on the foregoing, the order to show cause (ECF No. 64) is HEREBY DISCHARGED.

IT IS SO ORDERED.

Dated: August 24, 2015

*/s/ Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE