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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DENELL CAVER,

Plaintiff,

v.

E. GOMEZ, et al.,

Defendants.

Case No. 1:11-cv-01025-AWI-SKO PC

ORDER ADDRESSING MOTION FOR CLARIFICATION

(Doc. 33)

Plaintiff Denell Caver, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 20, 2011. This action is proceeding on Plaintiff's second amended complaint, filed on April 10, 2012, against Defendants Gomez, Stark, and Garcia for acting with deliberate indifference to Plaintiff's safety, in violation of the Eighth Amendment.

On July 26, 2013, Plaintiff filed a motion seeking clarification regarding the status of Defendants Gomez and Garcia. Defendants Gomez and Stark filed separate answers to the second amended complaint and there is a scheduling order in place. (Docs. 18, 20, 30, 31.) Defendant Garcia has not yet waived service or been personally served. As set forth in a separate order, service was accepted and waived on behalf of the wrong E. Garcia, in error. An order directing service on the correct E. Garcia will be issued.

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Accordingly, Plaintiff's motion for clarification is deemed addressed.

IT IS SO ORDERED.

Dated: September 23, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE