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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JIMMY GONZALES,
Plaintiff,

v.

CASE NO. 1:11-cv-01997-AWI-MJS (PC)

ORDER DENYING MOTION TO
WITHDRAW MOTION FOR AN
EXTENSION OF TIME TO FILE A SECOND
AMENDED COMPLAINT AS MOOT

(ECF No. 18)

HAROLD TATE,
Defendant.

_____ /

Plaintiff Jimmy Gonzales ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. No other parties have appeared.

Plaintiff initiated this action on December 2, 2011. (Compl., ECF No. 1.) Prior to the Court screening Plaintiff's original Complaint, Plaintiff filed a First Amended Complaint (ECF No. 6) and a Second Amended Complaint (ECF No. 16). Plaintiff's Second Amended Complaint was dismissed, with leave to amend, for failure to state a claim. (ECF No. 19.) Plaintiff filed a Third Amended Complaint which the Court has since screened and is in the process of serving. (ECF Nos. 20, 22, 26.)

On September 24, 2012, Plaintiff filed a motion requesting that his motion for an extension of time in which to file an amended pleading be withdrawn. (ECF No. 18.) Plaintiff has since filed several amended pleadings that have been accepted by the Court.

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1 Accordingly, Plaintiff's motion (ECF No. 18) is DENIED as moot.

2 IT IS SO ORDERED.

3 Dated: March 29, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

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