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

RIGOBERTO POLONCO,)	Case No.: 1:12-cv-00984-SAB (PC)
Plaintiff,)	
v.)	ORDER VACATING ORDER OF DISMISSAL
)	AND ENTRY OF JUDGMENT IN LIGHT OF
)	PLAINTIFF'S MOTION FOR EXTENSION OF
M. D. BITER, et al.,)	TIME FILE STATUS REPORT AND GRANTING
)	PLAINTIFF EXTENSION OF TIME
Defendants.)	(ECF Nos. 18, 19, 20)
)	
)	

On April 4, 2014, the instant action filed pursuant to 42 U.S.C. § 1983 was dismissed based on Plaintiff's failure to submit a timely status report as set forth in the Court's January 28, 2014, order. On March 17, 2014, Plaintiff submitted a motion for an extension of time to file his status report, however, the motion was not actually docketed in the Court's Case Management Electronic Filing System until April 8, 2014-after the dismissal order and judgment was entered on the docket. Thus, because of the date of receipt and entry of the filing by Plaintiff, the Court did not have the benefit of his motion at the time the dismissal order issued. Accordingly, the Court will vacate the dismissal order and entry of judgment, and upon the basis of good cause will grant Plaintiff an extension of thirty (30) days from the date of service of this order to file his status report in compliance with the Court's January 28, 2014. Failure to comply with this order will result in dismissal of the action.

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Based on the foregoing,

IT IS HEREBY ORDERED that:

1. The Court's dismissal order issued April 4, 2014, is VACATED;
2. The entry of judgment dated April 4, 2014, is VACATED;
3. Plaintiff is granted thirty (30) days from the date of service of this order to file a status report; and
4. The failure to comply with this order will result in dismissal of the action.

IT IS SO ORDERED.

Dated: April 25, 2014


UNITED STATES MAGISTRATE JUDGE