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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 JOSE ANTONIO RODRIGUEZ,

9 Plaintiff,

10 vs.

11 CALIFORNIA DEPARTMENT OF
12 CORRECTIONS AND REHABILITATION,

13 Defendant.

1:13-cv-00777-GSA-PC

ORDER VACATING ORDER REQUIRING
PLAINTIFF TO SUBMIT APPLICATION
TO PROCEED IN FORMA PAUPERIS
(Doc. 7.)

14 Jose Antonio Rodriguez ("Plaintiff") is a state prisoner proceeding pro se in this civil
15 rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this
16 action on May 17, 2013. (Doc. 1.)

17 On June 7, 2013, the court issued an order requiring Plaintiff to submit an application to
18 proceed in forma pauperis or pay the \$400.00 filing fee for this action, within forty-five days.
19 (Doc. 7.) A review of the record shows that Plaintiff submitted an application to proceed in
20 forma pauperis in this action on May 17, 2013, which was granted by the court on July 24,
21 2013. (Docs. 2, 8.) Based on this record, the court's order of June 7, 2013 shall be vacated.

22 Accordingly, IT IS HEREBY ORDERED that the court's order issued on June 7, 2013,
23 requiring Plaintiff to submit an application to proceed in forma pauperis, is VACATED.
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27 IT IS SO ORDERED.

28 Dated: July 25, 2013

/s/ Gary S. Austin

UNITED STATES MAGISTRATE JUDGE

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