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

BERNARD SPENCER,)	Case No.: 1:13-cv-01657-SAB (PC)
)	
Plaintiff,)	
)	ORDER DISCHARGING ORDER TO SHOW
v.)	CAUSE REGARDING EXHAUSTION
)	
A. ESCOBEDO, et al.,)	[ECF No. 12]
)	
Defendants.)	
)	
)	
)	

Plaintiff Bernard Spencer is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 5, 2014, Plaintiff filed a first amended complaint. On July 22, 2014, the undersigned issued an order to show cause why the first amended complaint should not be dismissed, without prejudice, for failure to exhaust the administrative remedies. Plaintiff filed a response to the order to show cause on August 7, 2014.

On the basis of good cause, the undersigned will discharge the order to show cause and allow the action to proceed. However, Plaintiff is advised that by discharging the order to show cause regarding exhaust of the administrative remedies, the Court in no way has made any determination as to whether Plaintiff has or has not appropriately exhausted the available administrative remedies, only that the action may proceed. Plaintiff is advised that the Court presently has a large number of cases

1 awaiting preliminary screening, and Plaintiff's first amended complaint will be screened in due course
2 and appropriate orders will issue.

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IT IS SO ORDERED.

Dated: September 2, 2014


UNITED STATES MAGISTRATE JUDGE