



1 On November 8, 2018, Plaintiff filed a notice of change of address. (ECF No. 129.)\_ On this  
2 same date, the Court re-served the October 31, 2018, order at Plaintiff's new address of record. On  
3 November 9, 2018, Plaintiff filed another change of address, but the address remained the same and  
4 re-service was not necessary. (ECF No. 130.) The twenty-one day deadline passed without Plaintiff  
5 either filing an opposition or statement of non-opposition. Accordingly, on November 27, 2018, the  
6 undersigned issued Findings and Recommendations recommending the action be dismissed. (ECF No.  
7 131.) Plaintiff was granted fourteen days to file objections. (Id.)

8 On December 26, 2018, Plaintiff filed objections. (ECF No. 132.) In his objections, Plaintiff  
9 submits that he has been unable to respond to the Court's order due to medical circumstances and he  
10 wishes to continue to prosecute this action. (Id.) Based on Plaintiff's representations, the Court will  
11 vacate the Findings and Recommendations issued November 27, 2018, and grant Plaintiff thirty days  
12 to file an opposition to Defendants' pending motion to declare him a vexatious litigant filed on  
13 September 27, 2018. Plaintiff is advised to focus his actions on filing an opposition to Defendants'  
14 motion in order to ensure the efficient resolution of this case.

15 Based on the foregoing, it is HEREBY ORDERED that:

- 16 1. The Finding and Recommendations issued on November 27, 2018, are VACATED;
- 17 2. Plaintiff is granted thirty days to file an opposition to Defendants' motion to declare  
18 Plaintiff a vexatious litigant; and
- 19 3. Plaintiff is advised the failure to comply with this order will result in a recommendation  
20 to dismiss this action.

21  
22 IT IS SO ORDERED.

23 Dated: December 27, 2018

  
UNITED STATES MAGISTRATE JUDGE