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

ARCHIE CRANFORD,)	Case No.: 1:14-cv-00921-LJO-SAB (PC)
Plaintiff,)	
v.)	ORDER VACATING FINDINGS AND
ANTONIA OKPALA,)	RECOMMENDATION, AND GRANTING
Defendant.)	PLAINTIFF TWENTY-ONE DAYS TO FILE
)	OPPOSITION TO PENDING MOTION TO
)	DISMISS OR ACTION WILL BE DISMISSED
)	[ECF Nos. 19, 20]
)	

Plaintiff Archie Cranford is a civil detainee proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000). Pursuant to 28 U.S.C. § 636(c), Plaintiff consented to the jurisdiction of the United States Magistrate Judge on January 7, 2015. Local Rule 302.

On July 29, 2015, Plaintiff was directed to file an opposition or statement of non-opposition to Defendant’s pending motion to dismiss within thirty days. (ECF No. 18.) Plaintiff failed to file an opposition or respond to the Court’s order. Therefore, on September 23, 2015, a Findings and Recommendation was issued recommending dismissal of the action for failure to comply with a court order. (ECF No. 19.)

1 Plaintiff filed objections to the Findings and Recommendation. (ECF No. 20.) Plaintiff
2 contends he submitted several changes of addresses to the Court; however, to date, the Court has not
3 received any change of address in this case from Plaintiff. In addition, although Plaintiff failed
4 objections to the dismissal of the action, he has not complied with the Court's July 29, 2015, order
5 directing him to file an opposition to Defendant's motion to dismiss.

6 The Court will vacate the Findings and Recommendation and grant Plaintiff one additional
7 opportunity to file an opposition or statement of non-opposition to Defendant's motion to dismiss.
8 Local Rule 230(l). Plaintiff is forewarned that failure to comply with this order will result in dismissal
9 of the action for failure to comply with a court order. Local Rule 110.

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

- 11 1. The Findings and Recommendation issued September 23, 2015, is VACATED; and
- 12 2. Within twenty-one (21) days from the date of service of this order, Plaintiff shall file an
13 opposition to statement of non-opposition to Defendant's motion to dismiss; and
- 14 3. Failure to comply with this order will result in dismissal of the action.

15
16 IT IS SO ORDERED.

17 Dated: October 5, 2015

18 
19 _____
20 UNITED STATES MAGISTRATE JUDGE