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

JONATHAN KIRKELIE,)	Case No.: 1:15-cv-00735-DAD-SAB (PC)
)	
Plaintiff,)	
)	ORDER DIRECTING DEFENDANTS TO FILE A
v.)	RESPONSE TO THE SECOND AMENDED
)	COMPLAINT WITHIN TEN DAYS FROM THE
C.O. THISSELL, et al.,)	DATE OF SERVICE OF THIS ORDER
)	
Defendants.)	
)	
)	
)	

Plaintiff Jonathan Kirkelie is a prisoner in the custody of the Federal Bureau of Prisons (“BOP”).

On March 29, 2017, the Court granted Defendants’ motion for summary judgment as to Defendant Masterson and denied the motion as to Defendants Thissell, Madhavi, Knoll and Smith. (ECF No. 45.) On April 3, 2017, the Court directed Defendants to file a response to the complaint within ten days. (ECF No. 46.) On April 17, 2017, the Court granted Defendants request to extend the time to file a response on June 12, 2017. (ECF No. 48.)

On May 26, 2017, Defendants filed a notice of appeal. (ECF No. 49.)

On June 13, 2017, the Court granted Defendants’ motion to stay the case pending resolution of the appeal, and all deadlines were vacated to be rescheduled, if necessary, after resolution of the appeal. (ECF No. 53.)

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On August 28, 2017, the Ninth Circuit Court of Appeals granted Defendants' (appellants' therein) motion to voluntarily dismiss the appeal. (ECF No. 55.)

Inasmuch as the appeal has been dismissed, the Court HEREBY ORDERS Defendants to file a response to the second amended complaint within **ten (10)** days from the date of service of this order.

IT IS SO ORDERED.

Dated: August 31, 2017



UNITED STATES MAGISTRATE JUDGE