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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAUL ALVAREZ,
Plaintiff,
v.
DR. NASTRAN HASHEMI,
Defendant.

Case No. 1:16-cv-00203-AWI-SKO (PC)

ORDER ON WITHDRAWAL OF MOTION FOR PLAINTIFF TO PROVIDE A MORE DEFINITE STATEMENT; GRANTING EXTENSION OF TIME TO FILE ANSWER NUNC PRO TUNC; and GRANTING REQUEST TO SUBSTITUTE COPY OF COMPLAINT

(Docs. 16, 18)

Plaintiff, Raul Alvarez, is a state prisoner, proceeding *pro se* and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983. On July 11, 2016, Defendant filed a motion for more definite state from Plaintiff because in the process of scanning for filing on the docket, the last few lines of various pages of the Complaint were not captured. (Doc. 16.) On August 3, 2016, Defendant, acknowledged receipt of a full copy of the Complaint from Plaintiff, filed a notice of withdrawal of the motion for more definite statement, requested an extension of time to respond to the Complaint, and submitted a complete copy of the Complaint with the request that it be scanned and substituted in place of the Complaint (Doc. 1) on the docket in this action. (Doc. 18.)

Accordingly, it is HEREBY ORDERED that:

1. Defendant’s motion for more definite statement, filed on July 11, 2016, is deemed WITHDRAWN;

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2. Defendant's request for an extension of time to file a response¹ to the Complaint is GRANTED nunc pro tunc; and

3. The Clerk of the Court is directed to file the version of Plaintiff's Complaint found at pages 4-15 of Doc. 18 which shall be substituted in place of Doc. 1.

IT IS SO ORDERED.

Dated: October 2, 2016

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ Defendant filed an answer on August 25, 2016. (Doc. 20.)