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

RICHARD B. HALL,	)	Case No. 1:16-cv-00263-AWI-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER DISMISSING ACTION PURSUANT TO
v.	)	RULE 25(A)(1), AND DIRECTING CLERK OF
	)	COURT TO ENTER JUDGMENT
SCOTT FRAUENHEIM, et al.,	)	
	)	(Doc. 60)
Defendants.	)	
	)	
	)	

Plaintiff Richard B. Hall is appearing in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 21, 2017, the assigned district judge stayed Plaintiff’s motion for reconsideration and referred the matter back to the undersigned in order to conduct a competency hearing and possible orders and procedures to protect Plaintiff’s interests, if Plaintiff is determined to be incompetent.

On September 6, 2017, the Court appointed Enid Perez to represent Plaintiff at the competency hearing yet to be scheduled.

On September 6, 2017, the Court ordered the Office of the Attorney General to advise the Court as to whether a special appearance would be made on behalf of the un-served Defendants at a year to be scheduling competency hearing.

On October 6, 2017, Deputy Attorney General, Andrea Sloan, made a special appearance and filed a notice of suggestion of Plaintiff’s death, and represented in the notice that service in

1 compliance with Federal Rules of Civil Procedure 4 and 25(a)(1) was made on Plaintiff's next of kin,  
2 Sunbeam M. Hall.

3 Plaintiff's death was suggested upon the record more than ninety days ago, and no motion for  
4 substitution was made. Fed. R. Civ. P. 25(a)(1). Accordingly, this action is **HEREBY ORDERED**  
5 **DISMISSED** pursuant to Federal Rule of Civil Procedure 25(a)(1), and the Clerk of the Court shall  
6 enter judgment and close the case.

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8 **IT IS SO ORDERED.**

9 Dated: January 10, 2018

  
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10 SENIOR DISTRICT JUDGE

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