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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RICHARD CASAREZ SAPIEN,  
Plaintiffs,  
v.  
AUDREY CHAPPELLE, et al.,  
Defendants.

Case No. 1:16-cv-00910-DAD-MJS  
ORDER VACATING FINDINGS AND  
RECOMMENDATIONS  
(ECF NO. 9)

Plaintiff is proceeding pro se and in forma pauperis in this action filed on June 24, 2016. On January 3, 2018, following Plaintiff's failure to file an amended complaint as ordered by the Court, the undersigned issued findings and recommendations to dismiss the action with prejudice for failure to obey a court order and failure to prosecute. (ECF No. 9.) On January 18 2018, Plaintiff filed objections to the findings and recommendations and also filed a first amended complaint. (ECF Nos. 10, 11.)

As Plaintiff has now complied with the Court's order requiring him to file an amended complaint, the findings and recommendations are HEREBY VACATED. The Court will screen Plaintiff's complaint in due course. 28 U.S.C. § 1915(e)(2)(B)(ii).

IT IS SO ORDERED.

Dated: February 9, 2018

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE