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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

|                          |   |                                      |
|--------------------------|---|--------------------------------------|
| CHRISTOPHER LIPSEY, JR., | ) | Case No.: 1:17-cv-00569-LJO-BAM (PC) |
|                          | ) |                                      |
| Plaintiff,               | ) | ORDER DISCHARGING ORDER TO           |
|                          | ) | SHOW CAUSE WHY ACTION SHOULD         |
| vs.                      | ) | NOT BE DISMISSED FOR FAILURE TO      |
|                          | ) | PROSECUTE AND FAILURE TO OBEY        |
| DR. REDDY, et al.,       | ) | COURT ORDER                          |
|                          | ) |                                      |
| Defendants.              | ) | (Doc. 60)                            |
|                          | ) |                                      |
|                          | ) |                                      |
|                          | ) |                                      |

Plaintiff Christopher Lipsey is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 2, 2018, Defendants filed a motion for summary judgment. Fed. R. Civ. P. 56. (Doc. 45.) The Court did not receive any timely response to the motion, nor had Plaintiff otherwise been in contact with the Court since he filed a motion for preliminary injunction on May 29, 2018. (Doc. 49.)

On July 17, 2017, the Court issued an order to show cause why this action should not be dismissed, with prejudice, for failure to obey the Court’s order and for failure to prosecute. (Doc. 60.) The Court ordered that Plaintiff could comply by responding to Defendants’ summary judgment motion. (*Id.*) After the order was issued, the Court received Plaintiff’s opposition to Defendants’ motion for summary judgment, (Doc. 58), as supplemented, (Doc. 59).

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1 Based on Plaintiff's compliance, the Court HEREBY ORDERS that the order to show  
2 cause issued on July 17, 2018 (Doc. 60), is discharged. The Court will issue findings and  
3 recommendations on Defendants' motion for summary judgment in due course.

4  
5 IT IS SO ORDERED.

6 Dated: July 18, 2018

/s/ Barbara A. McAuliffe  
7 UNITED STATES MAGISTRATE JUDGE  
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