

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF CALIFORNIA

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4 **DEMEATRUS ROBINSON, Sr.**

5 **Plaintiff,**

6  
7 **CHRISTOPHER KARAGHEUOFF, et al.**

8 **Defendants.**

**1:18-cv-00042-LJO-BAM**

**ORDER VACATING JUDGMENT AND  
REOPENING CASE**

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10 Judgment was issued on April 9, 2018, as the docket reflected Plaintiff had failed to file an  
11 amended complaint within the time requirements set by the Court's March 13, 2018, order. However,  
12 due to clerical mistake, the Plaintiff's amended complaint was timely filed on April 6, 2018,<sup>1</sup> but not  
13 docketed until after the order of judgment was signed on April 9, 2018. As a result, the Court's  
14 judgment was issued in error, and the judgment is vacated pursuant to Federal Rule of Civil Procedure  
15 60(b)(1).

16 As such, IT IS HEREBY ORDERED that the April 9, 2018, judgment is VACATED, and the  
17 Clerk of Court is DIRECTED to reopen this case. A response deadline to the amended complaint shall  
18 be calculated from the date of this order.

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20 IT IS SO ORDERED.

21 Dated: April 10, 2018

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE

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25 <sup>1</sup> Plaintiff was permitted 21 days from March 13, 2018, to file an amended complaint – i.e., April 3, 2018. In compliance with Federal Rule of Civil Procedure 6, an extension of three days for mailing was also permitted. As such, an amended complaint was to be filed on or before April 6, 2018. Fed. R. Civ. Pro. 6(b).