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

SCOTT BARBOUR,  
Plaintiff,  
v.  
UNITED STATES OF AMERICA,  
Defendant.

Case No. 1:18-cv-00246-NONE-BAM (PC)  
**ORDER DIRECTING DEFENDANT UNITED STATES OF AMERICA TO FILE RESPONSIVE PLEADING**  
**TWENTY-ONE (21) DAY DEADLINE**

Plaintiff Scott Barbour (“Plaintiff”) is a federal prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to the Federal Tort Claims Act, 28 U.S.C. § 1346(b).

On September 2, 2020, the Court granted in part and denied in part Defendant United States of America’s motion to dismiss. (ECF No. 33.) Accordingly, on September 3, 2020, the Court directed Defendant to file an answer or other responsive pleading to Plaintiff’s first amended complaint. (ECF No. 34.) Following the filing of Plaintiff’s motion for reconsideration of the Court’s order granting in part and denying in part Defendant’s motion to dismiss, the Court vacated the deadline to file a responsive pleading until after resolution of the motion for reconsideration. (ECF Nos. 35, 37.)

On January 20, 2021, the District Judge denied Plaintiff’s motion for reconsideration. (ECF No. 42.) This action proceeds against Defendant United States of America only on Plaintiff’s claim for failure to patrol. (Id.)

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Accordingly, Defendant shall file an answer or other responsive pleading to Plaintiff's first amended complaint within **twenty-one (21) days** from the date of service of this order.

IT IS SO ORDERED.

Dated: January 21, 2021

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE