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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	RYAN P. MADDEN,	Case No. 1:18-cv-00255-DAD-BAM (PC)
12	Plaintiff,	ORDER VACATING FINDINGS AND RECOMMENDATIONS REGARDING DISMISSAL OF ACTION FOR FAILURE TO OBEY COURT ORDER AND FAILURE TO PROSECUTE
13	v.	
14	HICKS, et al.,	
15	Defendants.	(ECF No. 7)
16		
17	Plaintiff Ryan P. Madden ("Plaintiff") is a state prisoner proceeding pro se and in forma	
18	pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.	
19	On May 22, 2018, the Court issued findings and recommendations to dismiss this action,	
20	without prejudice, for failure to obey court orders and failure to prosecute, due to Plaintiff's	
21	failure to consent to or decline Magistrate Judge jurisdiction. (ECF No. 7.) On June 7, 2018,	
22	Plaintiff filed his consent to jurisdiction of a United States Magistrate Judge and objections to the	
23	pending findings and recommendations. (ECF Nos. 8, 9.) However, both filings were stricken	
24	because they lacked Plaintiff's signature, as required by Federal Rule of Civil Procedure 11(a)	
25	and Local Rule 131. The Court provided Plaintiff an opportunity to resubmit his objections and	
26	his consent or declination of Magistrate Judge jurisdiction, with the appropriate signatures. (ECF	
27	No. 10.)	
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Currently before the Court are Plaintiff's objections to the findings and recommendations and consent to Magistrate Judge jurisdiction, filed July 2, 2018. (ECF Nos. 12, 13.) Plaintiff states that he apologizes for his failure to complete his consent form and to sign the form after completing it, and he has obtained the help of a paralegal to help him keep track of all pleadings, court dates, and orders going forward in this action. (<u>Id.</u>)

As Plaintiff has responded to the Court's order regarding his consent or declination of Magistrate Judge jurisdiction, and in light of Plaintiff's *pro se* status, the Court finds that Plaintiff has demonstrated his intent to prosecute this action.

Accordingly, the Court HEREBY ORDERS that the findings and recommendations to dismiss this action for failure to obey a court order and failure to prosecute, (ECF No. 7), are VACATED. Plaintiff's complaint will be screened in due course.

IT IS SO ORDERED.

Dated: July 9, 2018

/s/ Barbara A. McAuliff
UNITED STATES MAGISTRATE JUDGE