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

SAMUEL CAMPOSECO,  
Plaintiff,  
v.  
BOUDREAUX, *et al.*,  
Defendants.

Case No. 1:19-cv-01330-AWI-BAM (PC)  
ORDER DISCHARGING ORDER TO SHOW  
CAUSE WHY ACTION SHOULD NOT BE  
DISMISSED FOR FAILURE TO  
PROSECUTE  
(ECF No. 31)

Plaintiff Samuel Camposeco (“Plaintiff”) is a pretrial detainee proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s second amended complaint against Defendants Stamper and Jones for violation of the First and Sixth Amendments for reading Plaintiff’s legal mail outside of Plaintiff’s presence and confiscating the legal mail.

On April 27, 2021, Defendants filed a motion to dismiss. (ECF No. 31.) Following Plaintiff’s failure to timely file an opposition, on June 3, 2021, the Court ordered Plaintiff to show cause by written response why this action should not be dismissed, with prejudice, for failure to prosecute. (ECF No. 33.) Plaintiff was informed that he may comply with the Court’s order by filing an opposition or statement of non-opposition to Defendants’ motion to dismiss. (*Id.* at 2.)

On June 4, 2021, Plaintiff filed an opposition, dated May 24, 2021, to Defendants’ motion to dismiss. (ECF No. 34.) Although it appears Plaintiff’s opposition was mailed before he

1 received the Court's order to show cause, the Court accepts the opposition as filed in response to  
2 the order to show cause.

3 Accordingly, IT IS HEREBY ORDERED as follows:

- 4 1. The June 3, 2021 order to show cause, (ECF No. 33), is DISCHARGED; and
- 5 2. Defendants' reply, if any, to Plaintiff's opposition to the motion to dismiss is due within  
6 **seven (7) days** from the date of filing of the opposition.

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8 IT IS SO ORDERED.

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9 Dated: June 7, 2021

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE

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