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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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7 EMANUEL L. BOONE,

8 Plaintiff,

9 vs.

10 GARCIA, et al.,

11 Defendants.
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1:23-cv-00173-ADA-GSA-PC

**ORDER WITHDRAWING FINDINGS
AND RECOMMENDATIONS ISSUED
ON MARCH 31, 2023**

(ECF No. 13.)

13 On March 31, 2023, the Court issued findings and recommendations, recommending that
14 this case be dismissed based on Plaintiff's failure to comply with the Court's order issued on
15 February 6, 2023 requiring Plaintiff to complete and submit the Court's consent/decline form
16 within 30 days. (ECF No. 13.) On April 11, 2023, Plaintiff filed objections to the findings and
17 recommendations. (ECF No. 14.) Plaintiff also filed a completed consent/decline form in
18 compliance with the Court's February 6, 2023 order. (ECF No. 15.)

19 In light of the fact that Plaintiff filed a completed consent/decline form on April 11, 2023,
20 the court shall withdraw the findings and recommendations issued on March 31, 2023.

21 Accordingly, **IT IS HEREBY ORDERED** that the findings and recommendations
22 issued on March 31, 2023, are WITHDRAWN.

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24 IT IS SO ORDERED.

25 Dated: April 12, 2023

/s/ Gary S. Austin
26 UNITED STATES MAGISTRATE JUDGE
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