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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIKE YELLEN,

Plaintiff,

No. CIV S-94-1298 GEB DAD P

vs.

ANA M. OLIVAREZ, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a former state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed January 19, 2012, the assigned district judge adopted the undersigned’s findings and recommendations of December 14, 2011, and vacated the order of dismissal and judgment thereon entered in this action on March 1, 2011, referring the matter back to the undersigned for further proceedings. Good cause appearing, defendants will be directed to file a renewed motion for summary judgment. In view of the fact that plaintiff is no longer confined in state prison, defendants shall notice their motion for hearing pursuant to Local Rule 230(b) and the motion shall be briefed and considered pursuant to the provisions of Local Rule 230(b)-(i).

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1 In accordance with the above, IT IS HEREBY ORDERED that within thirty days
2 from the date of this order defendants shall file a renewed motion for summary judgment. The
3 provisions of Local Rule 230(b)-(i) shall apply to defendants' renewed motion.

4 DATED: January 19, 2012.

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7 _____
8 DALE A. DROZD
9 UNITED STATES MAGISTRATE JUDGE

10 DAD:12
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