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

SEAN C. FISHER,

Plaintiff,

No. CIV S-05-2217 MCE KJM P

vs.

JANE DOE, et al.,

Defendants.

ORDER

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On August 19, 2010, this action was remanded from the Ninth Circuit Court of Appeals. The Ninth Circuit has directed that the court address plaintiff’s claims in his first amended complaint that he was denied access to the prison grievance procedure at his place of incarceration in violation of the First Amendment and that he was retaliated against for exercising his First Amendment rights. The court has reviewed plaintiff’s amended complaint and now notes that page 10 of the amended complaint is missing. Plaintiff will be directed to file page 10 within twenty-one days.

Plaintiff has filed a motion requesting that he be reimbursed for the cost of filing his appeal. However, on appeal, the Ninth Circuit held that plaintiff “shall bear his own costs.” See June 22, 2010 Order at 3. Accordingly, plaintiff’s motion will be denied.

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In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff shall file page 10 of his May 18, 2007 amended complaint within twenty-one days.
2. Plaintiff's August 19, 2010 "motion for cost" is denied.

DATED: September 27, 2010.

  
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U.S. MAGISTRATE JUDGE

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