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

TREANDOUS A. COTTON,

Plaintiff,

No. CIV S-06-1107 GEB DAD P

vs.

D.L. RUNNELS, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed on March 4, 2010, plaintiff’s request for a continuance to oppose defendants’ motion for summary judgment pursuant to Fed. R. Civ. P. 56(f) was granted for the limited purpose of allowing plaintiff to obtain an affidavit from his former cellmate. (Doc. No. 120). At that time, the court denied defendants’ motion for summary judgment without prejudice, permitting defendants to either file an amended motion or to renew their previously filed motion for summary judgment following plaintiff’s submission of the affidavit in question. On June 7, 2010, plaintiff filed the declaration of his former cellmate with the court. However, defendants have neither renewed their previously filed motion nor have they file an amended motion for summary judgment with the court.

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