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

DESMOND LOEB,

Plaintiff,

No. CIV S-07-0139 GEB EFB P

vs.

AUDETTE, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On February 9, 2009, the court found that plaintiff had failed to file a pretrial statement and recommended that this action be dismissed. On the same day, plaintiff filed a document describing various difficulties with the prison mailroom. He requested both an injunction and leave to amend his complaint to add a claim regarding the same. The deadline for filing pretrial motions has long-since passed, *see* Sept. 17, 2007 Order, and plaintiff is not specific as to the injunctive relief he seeks. However, plaintiff also requested leave to file a new pretrial statement. Pl.’s Feb. 9, 2009 Mot., Decl. of Pl. in Supp. Thereof ¶ 4.

Good cause appearing, it is hereby ORDERED that:

1. The February 9, 2009 findings and recommendations are vacated.

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1           2. Plaintiff shall file a pretrial statement that complies with Rule 26 of the Federal Rules  
2 of Civil Procedure and Local Rule 16-281 not later than 30 days from the date of this order. *See*  
3 Fed. R. Civ. P. 5(d); L.R. 5-133(b)(2). The court does not intend to grant plaintiff any further  
4 extensions of time. Additionally, plaintiff's failure to comply with this order may result in a  
5 recommendation that this action be dismissed.

6           3. Defendants shall file their pretrial statement not later than twenty days after plaintiff's  
7 pretrial statement is filed.

8           4. Pretrial conference (as described in Local Rule 16-282) will be conducted on the file  
9 only, without appearance by either party.

10          5. The date for jury trial before the Honorable Garland E. Burrell, Jr. will be set in the  
11 pretrial order.

12 Dated: April 14, 2009.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE