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

SHAWN MARSHALL TOMPKINS,

Plaintiff,

No. CIV S-07-2346 GEB EFB P

vs.

STEPHENS, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On September 27, 2011, the assigned district judge adopted the undersigned’s recommendation that defendants’ motion for summary judgment be denied and set a schedule for the parties to file their pretrial statements. That order directed plaintiff to file his pretrial statement within thirty days. On October 5, 2011, the undersigned directed the parties to submit confidential settlement conference statements within fifteen days. Plaintiff submitted the required settlement statement but, to date, has not filed his pretrial statement.

Accordingly, it is hereby ORDERED that:

- 1. Plaintiff shall file his pretrial statement and any motions necessary to obtain the attendance of incarcerated witnesses at trial within thirty (30) days.

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2. Defendants shall file their pretrial statement within fourteen (14) days thereafter.

3. Plaintiff is admonished that failure to timely file his pretrial statement will result in a recommendation that this action be dismissed.

DATED: January 3, 2012.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE