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

ALVIN BERNARD JONES,

2:07-cv-02758 RCT

Plaintiff,

vs.

S. FRAZESN, et al.,

Defendants.

ORDER TO SHOW CAUSE

Plaintiff Alvin Bernard Jones filed a Motion for Reconsideration on October 14, 2009 shortly before he filed his Notice of Appeal. Apparently believing the Court was without jurisdiction to rule on the matter, Defendants have failed to respond to Plaintiff's motion. The appeal has been held in abeyance until this Court resolves Plaintiff's pending Motion for Reconsideration. *See Leader Nat'l Ins. Co. v. Industrial Indemnity Ins. Co.*, 19 F.3d 444, 445 (9th Cir. 1994). Defendants have 35 days from the date of this order to file a response to Plaintiff's Motion for Reconsideration.

The Clerk of the Court shall send uncertified copies of this Order to Show Cause to Plaintiff at his address of record and by electronic notice to Defendants' counsel.

IT IS SO ORDERED.

DATED this 13th day of January, 2010.

/s/ Richard C. Tallman
UNITED STATES CIRCUIT JUDGE
Sitting by designation