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

MARKUS TRUVELL YEARBY,

Plaintiff,

No. 2:07-cv-02800 KJN P

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER

_____ /

On September 22, 2010, the district judge adopted this court’s findings and recommendations filed July 21, 2010. (Dkt. Nos. 97, 100.) Pursuant to that order, this case proceeds on plaintiff’s Fourth Amended Complaint filed July 21, 2009 (Dkt. No. 59), although plaintiff’s state constitutional claim has been dismissed. Both parties (plaintiff and sole remaining defendant Dudley) have now consented to the jurisdiction of the magistrate judge, and the district judge has reassigned this case to the undersigned magistrate judge for all purposes pursuant to 28 U.S.C. § 636(c). (Dkt. No. 101.)

Accordingly, IT IS HEREBY ORDERED that:

1. Defendant shall, within thirty days after the filing date of this order, file an answer to plaintiff’s Fourth Amended Complaint; and

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2. The Clerk of Court is directed to redesignate this action as a “consent” case pursuant to 28 U.S.C. § 636(c).

SO ORDERED.

DATED: October 1, 2010


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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