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8	UNITED STATES DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA
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11	MARVIN GLENN HOLLIS, No. 2:08-cv-01094-MCE-CKD
12	Plaintiff,
13	v. <u>MEMORANDUM AND ORDER</u>
14	J MASON, et al.,
15	Defendants.
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18	Having reviewed this case in its entirety, the Court now
19	finds that good cause exists to warrant granting Defendants'
20	prior request to file a motion for summary judgment. <u>See</u>
21	Defendants' Pretrial Statement (ECF No. 80), 22:1-4.
22	Accordingly, the jury trial scheduled to commence on Monday,
23	March 12, 2012, at 9:00 a.m. in Courtroom 7, is hereby VACATED.
24	All Writs of Habeas Corpus Ad Testificandum issued in this case
25	are hereby VACATED as well. The Clerk of the Court is directed
26	to electronically serve and fax this Order on the Warden(s) of
27	the appropriate state prison facilities and on the Out-To-Court
28	desk, California State Prison - Sacramento.

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Defendants shall notice their motion for summary judgment and set a hearing date not later than Thursday May 3, 2012, before the magistrate judge pursuant to Local Rule 230(b). Simultaneously with their motion for summary judgment, Defendants are ordered to file a separate brief, not to exceed five (5) pages, addressing whether Plaintiff has properly been permitted to proceed in forma pauperis in this case given recent findings in this district that he is barred from doing so pursuant to 28 U.S.C. § 1915(g). <u>See</u>, <u>e.g.</u>, <u>Hollis v. Downing</u>, 2010 WL 5115196 (E.D. Cal.). Any Opposition and/or Reply to Defendants' motion for summary judgment and in forma pauperis brief shall be filed in accordance with Local Rule 230.

IT IS SO ORDERED.

Dated: March 2, 2012

MORRISON C. ENGLAND, MR.) UNITED STATES DISTRICT JUDGE