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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARLTON VAN SCOTT

2:08-cv-2006-RCF (PC)

Plaintiff,

ORDER RE UNDELIVERED MAIL

v.

GLENDIA MOORE et al.,

Defendants.

Plaintiff Carlton Van Scott is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. section 1983.

On July 10, 2009, the court issued an order dismissing defendants Lowe, Roherer, Toppenburger, Traquina and Naku from this action and served the order on plaintiff.

On August 10, 2009, the order served on plaintiff was returned by the U.S. Postal Service as undeliverable.

On October 13, 2009, the court telephoned the California Department of Corrections and Rehabilitation (DOC) Identification Unit at (916) 445-6713. The Identification Unit informed the court that plaintiff remains incarcerated at CSP-Solano.

In light of the foregoing, defendants are ordered to submit to the court within 14 days of the date of this order a statement indicating (1) whether plaintiff remains incarcerated at CSP-Solano; (2), if plaintiff no longer remains incarcerated at CSP-Solano, plaintiff's current address, if known by DOC; and (3), if plaintiff remains incarcerated at CSP-Solano, an explanation for DOC's failure to deliver legal mail to plaintiff.

IT IS SO ORDERED.

DATED: October 14, 2009

/s/ Raymond C. Fisher

Raymond C. Fisher,
United States Circuit Judge
Sitting by Designation