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

JAMES OLIVER

Plaintiff,

No. CIV S-08-2524 LKK GGH P

vs.

SCOTT CHESSER,

Defendant.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. Plaintiff has filed a motion for summary judgment which does not comply with the Local Rules of this court because the motion does not include a “Statement of Undisputed Facts.” See Local Rule 260(a).¹

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¹ Local Rule 260(a) reads as follows:

Each motion for summary judgment or summary adjudication shall be accompanied by a “Statement of Undisputed Facts” that shall enumerate discretely each of the specific material facts relied upon in support of the motion and cite the particular portions of any pleading, affidavit, deposition, interrogatory answer, admission, or other document relied upon to establish that fact. The moving party shall be responsible for the filing of all evidentiary documents cited in the moving papers. See L.R. 133(j).

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Accordingly, IT IS ORDERED that:

1. Plaintiff's motion for summary judgment (Doc. No. 45) is denied without prejudice.
2. The pretrial motion deadline is vacated and reset to November 28, 2011.

DATED: October 14, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

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