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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	MALIK JONES,
11	Plaintiff, No. 2:08-cv-2607 MCE CKD P
12	VS.
13	J. McGUIRE, et al.,
14	Defendants. ORDER
15	/
16	Plaintiff, a state prisoner, proceeds pro se with a civil rights complaint brought
17	pursuant to 42 U.S.C. § 1983. Following this court's order of September 21, 2012 in which
18	defendants' motion to dismiss was granted and defendants' motion for summary judgment was
19	denied in part, plaintiff proceeds on a sole remaining claim: that defendant Lipton was
20	deliberately indifferent to his serious medical need on September 13, 2007, in violation of the
21	Eighth Amendment.
22	Pursuant to the court's order of November 16, 2011, plaintiff's pretrial statement
23	was due 45 days after resolution of defendants' motion for summary judgment. (Dkt. No. 69.)
24	Plaintiff's pretrial statement is therefore late. The parties were advised in the court's order of
25	January 11, 2011 that "failure to file a pretrial statement may result in the imposition of
26	sanctions, including dismissal of this action." (Dkt. No. 53.)
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1	Accordingly, IT IS HEREBY ORDERED THAT plaintiff shall file a pretrial
2	statement within 30 days of the date of this order or it will be recommended that this case be
3	dismissed with prejudice for failure to prosecute and failure to comply with the court's orders.
4	See Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; defendant's pretrial statement is due within 14
5	days after service of plaintiff's pretrial statement.
6	Dated: November 27, 2012
7	Carop U. Delany
8	CAROLYŃ K. DELANEY UNITED STATES MAGISTRATE JUDGE
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