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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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JAMES EVANS, JR.,

Plaintiff,

NO. CIV. 2:09-292 WBS JFM

v.

ORDER

D.K. SISTO, et al.,

Defendants.


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In light of the letter from the Santa Clara County Counsel (Docket No. 152), advising, inter alia, that because of plaintiff's refusal to waive time in connection with the pending felony charges against him in the state court the Sheriff is unable to produce plaintiff for trial in this court, the trial date in this action is vacated, and this case is referred back to the assigned Magistrate Judge for all further pretrial proceedings in accordance with Local Rule 302(c)(17).

IT IS SO ORDERED.

DATED: August 6, 2012



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE