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

VICTOR JOSEPH RODELLA,

Plaintiff,

No. 2:09-cv-0794 GEB EFB P

vs.

TERRY JACKSON, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On May 21, 2012, the undersigned recommended that this action be dismissed after plaintiff failed to file a pretrial statement as ordered. Dckt. No. 105. Thereafter, plaintiff requested an extension of time to file his pretrial statement, explaining that he did not have access to his legal property until May 24, 2012. Dckt. No. 108. However, aside from requesting a settlement conference and the attendance of three witnesses at trial, plaintiff has not shown that he has taken any steps toward preparing his pretrial statement, which is long overdue.

The court will hold the May 21, 2012 findings and recommendations in abeyance for a period of fourteen days. If plaintiff fails file a pretrial statement within fourteen days, the May 21, 2012 findings and recommendations for dismissal will be submitted to the district judge.

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1 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for a settlement
2 conference (Dckt. No. 106) is denied and plaintiff's request for an extension of time (Dckt. No.
3 108) is granted as set forth herein.

4 DATED: July 10, 2012.


5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
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