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

EARL WARNER,

Plaintiff,

No. CIV S-09-1568 EFB P

vs.

MATTHEW L. CATE, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On November 16, 2010, the court directed plaintiff to submit eight copies of the October 18, 2010 endorsed amended complaint for the U.S. Marshal to serve defendants. Plaintiff submitted only five copies. He has failed to comply with the order.

It therefore is ORDERED that plaintiff has 20 days from the date of this order either to explain his failure to comply with the November 16, 2010 order, or to submit three copies of his October 18, 2010 amended complaint. Failure to comply with this order will result in a

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1 recommendation that this action be dismissed. The Clerk of the Court is directed to send to
2 plaintiff one copy of the October 18, 2010 pleading.

3 DATED: December 8, 2010.

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5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
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IN THE UNITED STATES DISTRICT COURT
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EARL WARNER,

Plaintiff,

No. CIV S-09-1568 EFB P

vs.

MATTHEW L. CATE, et al.,

Defendants.

NOTICE OF SUBMISSION OF DOCUMENTS

_____ /

Plaintiff hereby submits the following documents in compliance with the court's order

filed _____:

_____ completed summons form

_____ completed forms USM-285

3 copies of the October 18, 2010
First Amended Complaint

Dated:

Plaintiff