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

CHARLES DANIEL PINEDA, JR.,

No. CIV S-09-1723-GEB-CMK

Plaintiff,

vs.

ORDER

UNITED STATES POSTAL  
SERVICE, et al.,

Defendants.

\_\_\_\_\_ /

Plaintiff, who is proceeding pro se, brings this civil action. On June 26, 2009, the court issued an order determining that service of this action was appropriate. Plaintiff was directed to submit appropriate service documents to the United States Marshall and to file notice of such submission with the court within 15 days. As of August 19, 2009, plaintiff had not complied and the court issued findings and recommendations that this action be dismissed for lack of prosecution and failure to comply with court rules and orders. On September 21, 2009, plaintiff filed a document which appears to indicate that plaintiff has submitted the required documents to the United States Marshall. The August 19, 2009, findings and recommendations, therefore, will be vacated.

1                   Accordingly, IT IS HEREBY ORDERED that the findings and recommendations  
2 issued on August 19, 2009, are vacated.

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5 DATED: October 2, 2009

6   
7 **CRAIG M. KELLISON**  
8 UNITED STATES MAGISTRATE JUDGE  
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