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

MALIK JONES,

Plaintiff,

No. 2:09-cv-2133 KJM KJN P

vs.

C. PLESSAS, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding without counsel. On December 1, 2011, plaintiff filed objections to the November 16, 2011 findings and recommendations. In the objections, plaintiff claims he submitted a response to the court’s September 29, 2011 order, and appends a copy of the prison mail log noting mail was sent from plaintiff to the court on October 26, 2011. (Dkt. No. 61 at 5.) Plaintiff also states he mailed “notice” of the filing of his response to counsel for defendants on October 25, 2011. (*Id.*) It is unclear whether defendants received a copy of the documents submitted to the court, or just a document notifying counsel that plaintiff was filing something with the court.

In any event, there is no record of any filing by plaintiff in this action during the month of October 2011. Defendants are directed to file a copy of any document or documents received from plaintiff pertaining to documents allegedly filed toward the end of October 2011.

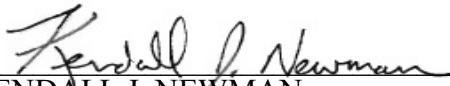
1 If defendants do not have a copy of the actual court filing, but simply a notice of filing, plaintiff
2 is granted an additional twenty-one days to re-submit his response to the September 29, 2011
3 order.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. Within fourteen days from the date of this order, counsel for defendants shall
6 file a copy of any document or documents received from plaintiff that were allegedly filed toward
7 the end of October, 2011.

8 2. If defendants file only a notice of filing, and not a copy of the documents
9 plaintiff sent to the court, plaintiff may re-file his response to the court's September 29, 2011
10 order, within twenty-one days from the date the defendants file the notice.

11 DATED: December 23, 2011

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14 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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