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

CION PERALTA,

Plaintiff,

No. CIV S-09-3228 FCD GGH P

vs.

MICHAEL MARTEL, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. Plaintiff's in forma pauperis statutes was revoked on February 24, 2011, and plaintiff then paid the filing fee on March 31, 2011. On April 20, 2011, the court ordered plaintiff to address the inconsistencies between his original in forma pauperis application and his current ability to pay the filing fee. Plaintiff has offered an explanation that the court accepts, but the court will be mindful of plaintiff's ability to pay should he file any cases in the future.

Accordingly, IT IS HEREBY ORDERED that defendants file an answer to the complaint within twenty-eight days.

DATED: June 6, 2011

/s/ Gregory G. Hollows

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UNITED STATES MAGISTRATE JUDGE

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