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

LEONARDO DONTE,

Plaintiff,

No. 2:10-cv-0299 KJM JFM (PC)

vs.

D. SWINGLE, et al.,

Defendants.

ORDER

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On September 1, 2010, the undersigned issued a discovery and scheduling order in this matter and set forth a March 11, 2011 deadline for filing pretrial motions. On November 10, 2010, defendant filed a motion to dismiss. On December 27, 2010, plaintiff filed an opposition. On March 16, 2011, the undersigned issued findings and recommendations recommending that defendant's motion to dismiss be granted and this action be dismissed for failure to exhaust administrative remedies. The findings and recommendations are presently pending before the Honorable Kimberly J. Mueller.

On March 18, 2011, plaintiff filed a motion to vacate the March 11, 2011 deadline to file dispositive motions. Plaintiff contends that he has been unable to access the law library and, as such, has been unable to file such a motion.

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