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

KEVIN POPPEN,

Plaintiff,

No. 2:10-cv-0568-MCE-JFM (PC)

vs.

LIONEL FOSTER, M.D., et al.,

Defendants.

ORDER TO SHOW CAUSE

_____ /

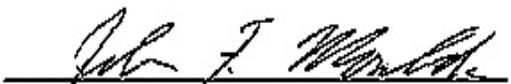
Plaintiff is a state prisoner proceeding through counsel with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed December 1, 2010, plaintiff's complaint was dismissed and plaintiff was granted thirty days in which to file either an amended complaint clarifying the basis for his claim against defendant Kimura-Yip or a request for voluntary dismissal of said defendant. The thirty day period has expired and plaintiff has not responded in any way to the December 1, 2010 order.

Accordingly, good cause appearing, IT IS HEREBY ORDERED that within ten days from the date of this order plaintiff shall show cause in writing, if any he has, why defendant Kimura-Yip should not be dismissed from this action. Any response to the order to show cause shall be accompanied by a proposed amended complaint that either omits plaintiff's claim against

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1 defendant Kimura-Yip or clarifies the basis for said claim. Plaintiff is cautioned that failure to
2 comply with this order may result in a recommendation that this action be dismissed.

3 DATED: January 13, 2011.

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6 UNITED STATES MAGISTRATE JUDGE

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