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

HOWARD SCOTT,

Plaintiff,

No. 2: 10-cv-1664 WBS KJN P

vs.

C/O SANCHES, et al.,

Defendants.

ORDER

_____ /

On May 4, 2011, the undersigned recommended that this action be dismissed for plaintiff's failure to file an amended complaint in accordance with the order filed December 9, 2011. On May 12, 2011, plaintiff filed objections to the findings and recommendations.

Plaintiff alleges that he could not file an amended complaint because his legal property was removed from his cell when he went to a crisis bed for the second time for mental health reasons.

Good cause appearing, the findings and recommendations are vacated. Plaintiff is granted thirty days to file an amended complaint. No further extensions of time will be granted but for a showing of substantial cause.


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Accordingly, IT IS HEREBY ordered that:

1. The May 4, 2011 findings and recommendations are vacated;
2. Plaintiff is granted thirty days from the date of this order to file an amended complaint.

DATED: May 19, 2011


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

sc1664.vac