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

DYKE EDWARD NELSON,

Plaintiff,

No. 2:10-cv-2156 JFM (PC)

vs.

DR. ALEX ZIGA, etc.

Defendants.

_____/ ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

By order filed May 14, 2011, the court determined that plaintiff’s fifth amended complaint states a cognizable claim for relief against defendant Alex Ziga and ordered plaintiff to return forms necessary for service of process on said defendant. Plaintiff has returned the necessary forms and this court will, by order filed concurrently herewith, direct the United States Marshal to serve process on said defendant. On June 15, 2011, plaintiff filed a document styled as exhibits. The documents appended thereto are copies of plaintiff’s administrative appeal. Defendant Ziga has not yet appeared in this action, and plaintiff’s compliance with the administrative exhaustion requirements of 42 U.S.C. § 1997e(a) has not been placed in issue in this action.

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1 Accordingly, good cause appearing, IT IS HEREBY ORDERED that the exhibits
2 filed by plaintiff on June 16, 2011 shall be disregarded unless or until the question of plaintiff's
3 compliance with 42 U.S.C. § 1997e(a) is placed in issue at a subsequent stage of these
4 proceedings.

5 DATED: July 18, 2011.

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8 UNITED STATES MAGISTRATE JUDGE

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11 nels2156.exh