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

WILLIAM BARKER,

Plaintiff,

No. 2:11-cv-0246 LKK GGH P

vs.

R. YASSINE,

Defendant.

ORDER

_____ /

Plaintiff is a state prisoner proceeding with retained counsel with a civil rights action pursuant to 42 U.S.C. § 1983. In light of the district judge’s September 4, 2012, order granting plaintiff leave to file an amended complaint, defendant’s motion for summary judgment (Doc. 56) is vacated.

Accordingly IT IS HEREBY ORDERED that defendant’s motion for summary judgment (Doc. 56) is vacated.

DATED: September 5, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH: AB
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