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

DONALD O. HOOKER,

Plaintiff,

No. CIV S-11-0899 LKK CKD P

vs.

T. KIMURA-YIP, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. On February 1, 2012, this court issued findings and recommendations recommending that this action be dismissed due to plaintiff's failure to timely file an amended complaint. (Dkt. No. 16.) Two days later, plaintiff signed and dated a motion for an extension of time until March 16, 2012 to file an amended complaint. He states that he and all his possessions were transferred to California State Prison-Los Angeles in mid-January, and that, due to the transfer, he was unable to earlier request an extension of the amended complaint deadline. This motion was docketed on February 10, 2012. (Dkt. No. 17.)

As plaintiff sought an extension of time as soon as circumstances allowed, the court will vacate its February 1, 2012 recommendation that this action be dismissed.

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Accordingly, IT IS HEREBY ORDERED that:

1. The court's February 1, 2012 recommendation that this action be dismissed is VACATED;
2. Plaintiff is granted until March 16, 2012 to file an amended complaint.

Dated: February 22, 2012

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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