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9	UNITED STATES DISTRICT COURT	
10	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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12	MICHAEL TENORE,	No. 2:11-cv-1082 WBS CKD P
13	Plaintiff,	
14	v.	ORDER
15	NATHANAEL GOODGAME, et al.,	
16	Defendants.	
17		
18	Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief	
19	under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to	
20	28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
21	On December 8, 2014, the magistrate judge filed findings and recommendations herein	
22	which were served on both parties and which contained notice that any objections to the findings	
23	and recommendations were to be filed within fourteen days. Plaintiff belatedly filed objections	
24	(ECF No. 105), and defendants filed a response to the objections (ECF No. 108).	
25	In light of plaintiff's pro se status, the court finds the recommended dismissal too severe a	
26	sanction for plaintiff's failure to file a pretrial statement. Accordingly, the findings and	
27	recommendations of the magistrate judge are rejected, and the court will try this action in April of	
28	2015 as scheduled. Neither side need file a Pretrial Statement.	
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1	IT IS SO ORDERED.	
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3	Dated: February 18, 2015	
4		Ailiam to shabe
5		WILLIAM B. SHUBB
6		UNITED STATES DISTRICT JUDGE
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