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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANA Y. COWARD,
Plaintiff,
v.
JP MORGAN CHASE BANK,
Defendant.

No. 2:11-cv-3378 GEB AC PS

ORDER

On December 20, 2011, this action was removed from the Sacramento County Superior Court. On September 17, 2013, plaintiff's third amended complaint was dismissed with leave to amend. Plaintiff has now filed a motion for extension of time to file a fourth amended complaint and a motion to proceed in forma pauperis.

As to plaintiff's application to proceed in forma pauperis, the court notes that defendant paid the applicable filing fee at the time of removal. Accordingly, plaintiff's motion to proceed in forma pauperis will be denied as moot.

Regarding plaintiff's motion for extension of time, plaintiff asks for additional time to file a fourth amended complaint pending receipt of a response from the FDIC as to a filed claim. Because plaintiff does not identify the nature of the claim filed or the need for a delay, this request will also be denied.

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Based on the foregoing, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to proceed in forma pauperis (ECF No. 80) is denied as moot;
2. Plaintiff's motion for extension of time (ECF No. 81) is denied;
3. Plaintiff shall file a fourth amended complaint within twenty-one days from the date of this order.

DATED: December 5, 2013



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE