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

NAEEM AHMED,

Plaintiff,

No. 2:12-cv-1331 MCE CKD PS

vs.

COUNTRYWIDE HOME
LOANS, INC., et al.,

Defendants.

ORDER

_____ /
This case, in which plaintiff is proceeding pro se, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). On June 19, 2012, defendants filed a motion to dismiss. The motions were noticed to be heard on August 8, 2012.

On July 26, 2012, pursuant to the request and stipulation of the parties, the undersigned continued the hearing on the motion to October 10, 2012 and directed plaintiff to file an opposition to the motion, or a statement of non-opposition thereto, no later than September 19, 2012. Plaintiff was advised that failure to file an opposition would be deemed a statement of non-opposition to the pending motion and would result in a recommendation that this action be dismissed. Plaintiff did not file an opposition by September 19, 2012 and the court accordingly recommended dismissal of the action.

1 Plaintiff has now belatedly filed an opposition. The court will therefore vacate the
2 findings and recommendations, allow time for the filing of a reply, and submit the matter on the
3 papers.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The findings and recommendations filed September 26, 2012 (Dkt. No. 14) are
6 vacated.
- 7 2. Reply shall be filed no later than October 11, 2012.
- 8 3. The motion to dismiss shall thereafter stand submitted on the papers.

9 Dated: October 2, 2012

10 
11 CAROLYN K. DELANEY
12 UNITED STATES MAGISTRATE JUDGE

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