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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAJ CHRISTOPHER GUPTA,  
Plaintiff,  
v.  
MATTHEW CATE, et al.,  
Defendants.

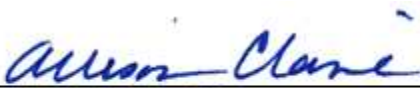
No. 2:12-cv-1693 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S. § 1983. Plaintiff filed a motion for default judgment (ECF No. 26) which he subsequently has sought to “abandon.” ECF No. 32. Plaintiff indicates that since filing the motion at ECF No. 26, he has received the answer and executed waivers of service for the defendants.

Accordingly, IT IS ORDERED that plaintiff’s request to voluntarily abandon his motion for default judgment, ECF No. 32, is construed as a motion to withdraw the motion for default judgment and is granted. The motion at ECF No. 26 is vacated.

DATED: October 15, 2013

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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