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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDREW RAMIREZ,

Plaintiff,

v.

P.A. MIRANDA, et al.,

Defendants.

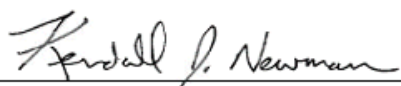
No. 2:13-cv-0600 KJN P

ORDER

Plaintiff was a state prisoner who died on November 15, 2013. Plaintiff previously consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). A suggestion of death upon the record pertaining to the death of plaintiff was filed on July 30, 2014. The order suggesting death upon the record was personally served on plaintiff's next of kin on October 23, 2014. Pursuant to Federal Rule of Civil Procedure 25, a motion for substitution of a proper party must be made no later than ninety days after the death is suggested upon the record. That time period has now expired, and no motion for substitution has been filed.

Accordingly, IT IS HEREBY ORDERED that this action is dismissed.
Dated: February 3, 2015

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE