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7	UNITED STATES DISTRICT COURT	
8	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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10	HOANG TROUNG,	No. 2:14-cv-1590-EFB P
11	Plaintiff,	
12	v.	<u>ORDER</u>
13	JEFF MACOMBER,	
14	Defendant.	
15		
16	Plaintiff is a prisoner proceeding pro se with this civil rights action under 42 U.S.C.	
17	§ 1983. ¹ His action was dismissed without prejudice on June 2, 2015, due to his failure to	
18	comply with the court's April 28, 2015 order. ECF No. 8. Judgment was entered on the same	
19	day. ECF No. 9. Thereafter, plaintiff requested an extension of time to comply with the April 28	
20	order, stating that he had not received it until May 12, 2015. ECF No. 10. On June 19, 2015,	
21	plaintiff filed a timely motion for relief from judgment. ECF No. 12. His motion indicates that	
22	he did not receive the April 28 order until May 12, and that within thirty days of receiving the	
23	order, he moved for an extension of time. Under these circumstances, the court finds that there is	
24	good cause for granting relief from judgment under Rule 60(b) of the Federal Rules of Civil	
25	Procedure.	
26		
27	¹ This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff's consent. <i>See</i> E.D. Cal. Local	
28	Rules, Appx. A, at $(k)(4)$.	

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1	Accordingly, IT IS HEREBY ORDERED that:	
2	1. Plaintiff's motion for relief from judgment (ECF Nos. 12, 13) is granted;	
3	2. This court's June 2, 2015 order and the judgment entered thereon (ECF Nos. 8, 9) are	
4	vacated;	
5	3. Plaintiff shall, within thirty days of the date of this order, file an amended complaint as	
6	instructed in the April 28, 2015 order. Failure to comply with this order may result in	
7	dismissal of this action.	
8	Dated: September 23, 2015.	
9	EDMUND F. BRENNAN	
10	UNITED STATES MAGISTRATE JUDGE	
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