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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH DOXIE,
Plaintiff,
v.
M. VAN ECK, et al.,
Defendants.

No. 2:14-cv-1976 MCE CKD P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On April 21, 2015, defendants filed a motion to dismiss this action. On June 1, 2015, plaintiff was ordered to file an opposition or a statement of non-opposition to the pending motion within thirty days. The thirty day period has now expired, and plaintiff has not responded to the court's order.

However, the undersigned takes judicial notice of records in Doxie v. McDonald et al., No. 2:14-cv-1977 WBS CKD P, which indicate that plaintiff was, until recently, housed in a mental health crisis facility and unable to prosecute his pending cases. (See id., ECF No. 25.) As plaintiff has been returned to regular housing (see id.), the court will extend by thirty days the deadline for him to file an opposition to defendants' motion in this action.

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Accordingly, IT IS HEREBY ORDERED that within 30 days of the date of this order, plaintiff shall file an opposition to defendants' April 21, 2015 motion to dismiss or a statement of non-opposition. Failure to comply with this order will result in dismissal of this action pursuant to Federal Rule of Civil Procedure 41(b).

Dated: July 6, 2015



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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