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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE DEJESUS RODRIGUEZ,
Plaintiff,
v.
VERONICA VEGA,
Defendant.

No. 2:15-cv-0158 GGH PS

ORDER

This action was voluntarily dismissed on December 22, 2015.¹ Plaintiff, proceeding pro se, has now filed a document entitled, “second amended complaint, motion to set aside default and default judgment....” This document will be construed as a motion for relief from judgment under Federal Rule of Civil Procedure 60(b).

Accordingly, IT IS HEREBY ORDERED that:

- 1. Defendant shall file a response to the motion within twenty-one days of this order.

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¹ This action is before the undersigned pursuant to the parties’ consent to proceed before a magistrate judge. 28 U.S.C. § 636(c).

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2. Plaintiff may file a reply within seven days thereafter. The motion will then be submitted on the record.²

DATED: September 7, 2016

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH:076/Rodriguez0158.60b

² A hearing will be set only if necessary after review of the filings.