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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA NEIL HARRELL,  
Plaintiff,  
v.  
WALMART, et al.,  
Defendants.

No. 2:15-cv-0576-JAM-AC

ORDER

The court is in receipt of plaintiff’s request for a status update. ECF No. 104. Defendant filed a motion for summary judgment on November 7, 2018. Plaintiff did not timely respond, though court records indicate that plaintiff did not receive this court’s prior order denying plaintiff’s previous summary judgment motion without prejudice. ECF No. 100 (“Mail Returned” notation docketed November 20, 2018). In the interest of resolving this matter on the merits, the clerk of court is hereby ordered to RE-SERVE the order at ECF No. 100 and the motion at ECF No. 101 on plaintiff. Plaintiff will have 30 days from the date of this order to respond to defendant’s motion for summary judgment. If plaintiff fails to respond, the court will construe the lack of response as non-opposition and deem the matter submitted on the papers.

IT IS SO ORDERED.

Dated: December 19, 2018

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE