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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN LLOYD HOUSTON,
Plaintiff,
v.
RIO CONSUMNES CORRECTIONAL
FACILITY, et al.,
Defendants.

No. 2: 15-cv-2055 KJN P

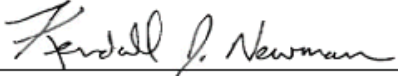
ORDER

Plaintiff is a county prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to the jurisdiction of the undersigned. (ECF No. 4.) Pending before the court is plaintiff's December 30, 2015 motion for summary judgment. (ECF No. 12.)

On December 15, 2015, the undersigned ordered the United States Marshal to serve the amended complaint on defendant Sacramento County. (ECF No. 10.) Because no defendant has been served or appeared, plaintiff's motion for summary judgment is premature.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for summary judgment (ECF No. 12) is denied as premature.

Dated: January 21, 2016
Hou2055.ord


1 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE