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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH HILL,
Plaintiff,
v.
SCOTT KERNAN, et al.,
Defendants.

No. 2:16-cv-3020 KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. On June 22, 2018, plaintiff was granted leave to amend his pleading or to proceed forthwith against defendants Cottrell and Murphy. Plaintiff was granted thirty days in which to either file an amended complaint, or to submit documents for service of process on defendants Cottrell and Murphy. Instead, plaintiff filed a notice of appeal. On July 19, 2018, plaintiff's appeal was dismissed for lack of jurisdiction. (ECF No. 26.) On July 30, 2018, plaintiff filed a notice of his intent not to file an amended complaint. However, plaintiff did not file the documents for service of process on defendants Cottrell and Murphy. On August 10, 2018, the Court of Appeals for the Ninth Circuit spread the mandate denying plaintiff's appeal.

In an abundance of caution, and in light of plaintiff's statement that he will not file an amended complaint, plaintiff is granted a 21-day extension of time in which to submit the completed summons and two USM-285 forms, and three copies of the endorsed amended

1 complaint (ECF No. 15), for service of process on defendants Cottrell and Murphy. Plaintiff is
2 cautioned that failure to submit such documents will result in the dismissal of this action.

3 IT IS HEREBY ORDERED that:

4 1. Plaintiff is granted 21 days from the date of this order in which to file the documents
5 for service of process on defendants Cottrell and Murphy, as required by the June 22, 2018 order;
6 and

7 2. Failure to timely comply with this order will result in the dismissal of this action.

8 Dated: August 15, 2018

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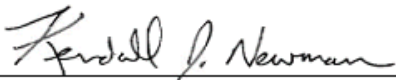
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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE