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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS MANUEL GARCES,  
Plaintiff,  
v.  
J. PICKETT, et al.,  
Defendants.

No. 2:17-cv-0319 JAM AC P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On May 9, 2019, defendants filed a motion for judgment on the pleadings. ECF No. 66. Plaintiff has been granted several extensions of time to respond to the motion, the most recent of which extended his deadline to September 13, 2019. ECF Nos. 76, 84, 86, 88. The deadline for responding to the motion has now passed, and plaintiff has not filed a response or requested any further extensions of time. Plaintiff will be granted one final extension of time to respond to the motion and failure to respond to the motion will result in a recommendation that this action be dismissed for failure to prosecute. He is reminded that the motion is for judgment on the pleadings and is *not* a motion for summary judgment. This means that the court will only look at the allegations in the complaint to see if he has stated a claim for relief and will not look at any new evidence of plaintiff's claims.

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Accordingly, IT IS HEREBY ORDERED that within twenty-one days of the service of this order plaintiff shall respond to defendants' motion for judgment on the pleadings. No further extensions will be granted and failure to respond to the motion will result in a recommendation that this action be dismissed for failure to prosecute.

DATED: October 24, 2019

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE