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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES BOWELL,
Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,
Defendants.

No. 2:17-cv-0981 KJM KJN P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 1, 2019, the magistrate judge filed findings and recommendations recommending that the court granted defendants’ motion to revoke plaintiff’s in forma pauperis status. The findings and recommendations were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff filed objections to the findings and recommendations. Defendants filed a reply.

By order filed July 24, 2019, this court directed the parties to file supplemental briefs on defendants’ motion. ECF No. 45. On August 16, 2019, plaintiff filed a response to the July 24, 2019 order. ECF No. 46. On August 21, 2019, defendants withdrew their motion to revoke

1 plaintiff's in forma pauperis status in light of a decision by the United States Court of Appeals for
2 the Ninth Circuit issued the same day, *Harris v. Harris*, Case No. 16-55083, ___ F.3d ___, 2019
3 WL 3938883 (9th Cir. Aug. 21, 2019). Accordingly, the findings and recommendations and this
4 court's further briefing order are moot, as are plaintiff's two motions for extension of time to pay
5 the filing fee, ECF Nos. 41 and 44.

6 In accordance with the above, IT IS HEREBY ORDERED that:

7 1. The findings and recommendations filed May 1, 2019, are moot and therefore not
8 adopted;

9 2. Plaintiff's May 20, 2019 and June 14, 2019 motions for extension of time, ECF Nos.
10 41 and 44, are denied as moot; and

11 3. This matter is referred back to the assigned magistrate judge for further pretrial
12 proceedings.

13 DATED: August 26, 2019.

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17 UNITED STATES DISTRICT JUDGE
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