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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,

Plaintiff,

v.

ROMERO, et al.,

Defendants.

No. 2:17-cv-1884 TLN DB P

ORDER

Plaintiff is a former state prisoner proceeding pro se with a civil rights action under 42 U.S.C. §1983. On September 8, 2023, this court ordered the parties to file pretrial statements. (ECF No. 195.) Plaintiff’s statement was due February 23, 2024 but was not filed by that date. Defendants timely filed their statement on March 8, 2024. (ECF No. 196.)

Based on plaintiff’s failure to file a pretrial statement, on March 26, this court issued findings and recommendations in which it recommended this action be dismissed for plaintiff’s failure to prosecute and failure to comply with court orders. (ECF No. 197.) The following day, plaintiff filed his pretrial statement. (ECF No. 198.) This court will accept plaintiff’s pretrial statement and will vacate the March 26 findings and recommendations. Defendants will be permitted to file a response to plaintiff’s statement. However, they are not required to do so. After the court receives a response from defendants or the time for doing so has lapsed, this court will issue a pretrial order and set this case for trial.

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Accordingly, IT IS HEREBY ORDERED that:

1. The March 26, 2024 findings are recommendations (ECF No. 197) are vacated; and
2. Within ten days of the date of this order defendants may file a response to plaintiff's pretrial statement.

Dated: April 19, 2024



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DLB:9
DB Prisoner Inbox/Civil Rights/R/will1884.p pts resp