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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEIRON M. ELIAS,

Plaintiff,

v.

J. KINROSS, et al.,

Defendants.

No. 2:17-cv-02106 WBS DB P

ORDER

Plaintiff proceeds pro se with this civil rights action. On September 28, 2023, the undersigned filed findings and recommendations recommending that this action be dismissed without prejudice for plaintiff's failure to timely file a pretrial statement. (ECF No. 91.) Plaintiff has objected to the findings and recommendations, stating plaintiff was under the belief that a request for stay had been filed due to her custody in the Riverside County Jail awaiting resentencing. (ECF No. 93.) Having considered plaintiff's objections, the undersigned vacates the recommendation to dismiss this case without prejudice.

In accordance with the above, IT IS HEREBY ORDERED that the findings and recommendations filed September 28, 2023 (ECF No. 91), are vacated.

Dated: October 19, 2023

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DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE