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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEFRANTZE LUCAS NOEL,
Plaintiff,
v.
UNKNOWN.,
Defendants.

No. 2:18-cv-01687-JAM-CKD (PS)

ORDER

On July 30, 2018, after plaintiff missed the court-ordered deadline to file an amended complaint (see ECF No. 3), the undersigned recommended dismissal of this matter, pursuant to Federal Rule of Civil Procedure 41(b). (ECF No. 4.) Plaintiff subsequently filed objections to the recommendation, and explained that he did not receive the court’s prior order, due to a change in address. (See ECF No. 5.)

Therefore, in light of plaintiff’s *pro se* status, his recent appearance, and the court’s desire to have this matter resolved on its merits, plaintiff is afforded another opportunity to amend the complaint.

Accordingly, IT IS HEREBY ORDERED that:

1. The court’s July 30, 2018 order and findings and recommendations (ECF No. 4) are VACATED.
2. No later than August 31, 2018, plaintiff shall file an amended complaint that complies

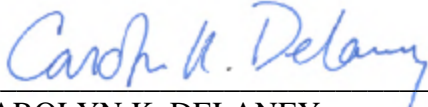
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with the terms of the court's June 14, 2018 order (ECF No. 3).

3. The Clerk of Court shall serve a copy of the court's June 14, 2018 order (ECF No. 3), with this order.

4. Failure to comply with all the terms and deadlines of this order may result in dismissal of the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

Dated: August 16, 2018



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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