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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMAGEO HALL,
Plaintiff,
v.
JEFF MACOMBER, et al.,
Defendants.

No. 2:20-cv-1701 KJM CKD P

ORDER

On January 12, 2023, the court ordered plaintiff to file a pretrial statement within 30 days. Since plaintiff did not respond to that order, the court recommended on February 28, 2023 that this action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to follow court orders as the court warned it would in the January 12, 2023 order. Plaintiff was given fourteen days within which to object to the court’s recommendation.

Plaintiff has not filed objections. Instead, plaintiff asks that this action be dismissed pursuant to Rule 41(a). Plaintiff asserts he seeks dismissal because he is not being granted access to the law library at the Los Angeles County Jail to complete his pretrial statement.

Good cause appearing, IT IS HEREBY ORDERED that:

1. The court’s February 28, 2023 findings and recommendations are vacated.
2. Plaintiff is granted 30 days within which to seek an order from this court directing the Los Angeles County Sheriff to provide plaintiff with access to the law library at the Los Angeles

1 County Jail so that plaintiff may complete his pretrial statement. In such a request, plaintiff must
2 identify specifically when, how, and for what reason he requested access to the Los Angeles
3 County Jail law library and the reasons given, if any, as to why was denied access.

4 3. If plaintiff does not respond to this order, the court will recommend that plaintiff's
5 request for voluntary dismissal be granted.

6 Dated: March 29, 2023

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8 CAROLYN K. DELANEY
9 UNITED STATES MAGISTRATE JUDGE

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