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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	CYMEYON HILL,	No. 2: 22-cv-1849 KJM KJN P
12	Plaintiff,	
13	v.	<u>ORDER</u>
14	HER, et al.,	
15	Defendants.	
16		
17	Plaintiff is a civil detainee, proceeding without counsel, with this civil rights action. For	
18	the reasons stated herein, the findings and recommendations filed April 28, 2023 recommending	
19	that this action be dismissed are vacated.	
20	On February 16, 2023, the undersigned ordered plaintiff to file further briefing in support	
21	of his application to proceed in forma pauperis within twenty-one days. (ECF No. 13.) On	
22	March 20, 2023, the February 16, 2023 order was returned unserved. On March 23, 2023, the	
23	Clerk of the Court reserved the February 16, 2023 order. The reserved order was not returned	
24	unserved. Twenty-one days passed from March 23, 2023, and plaintiff did not file the further	
25	briefing as ordered. Accordingly, on April 28, 2023, the undersigned recommended that this	
26	action be dismissed. (ECF No. 15.)	
27	On May 11, 2023, plaintiff filed objections to the April 28, 2023 findings and	
28	recommendations. (ECF No. 16.) Although plaintiff did not address his failure to respond to the	
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1	February 16, 2023 order in his objections, the undersigned finds good cause to vacate the April	
2	28, 2023 findings and recommendations. Plaintiff is granted twenty-one days from the date of	
3	this order to file the further briefing in support of his application to proceed in forma pauperis	
4	discussed in the February 16, 2023 order.	
5	Accordingly, IT IS HEREBY ORDERED that:	
6	1. The April 28, 2023 findings and recommendations (ECF No. 15) are vacated;	
7	2. Plaintiff is granted twenty-one days from the date of this order to file the further	
8	briefing in support of his application to proceed in forma pauperis discussed in the	
9	February 16, 2023 order; failure to file this further briefing will result in a	
10	recommendation that this action be dismissed.	
11	Dated: May 17, 2023	
12	Ferdall D. Newman	
13	KENDALL J. NEWMAN UNITED STATES MAGISTRATE JUDGE	
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