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3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA

5 BRYAN DAMON PATTERSON,

6 Plaintiff,

7 v.

8 THOMAS ZEWERT, et al.,

9 Defendants.

Case No. [17-cv-06914-RS](#) (PR)

**ORDER REOPENING ACTION;**

**ORDER DIRECTING DEFENDANTS  
TO REFILE DISPOSITIVE MOTION**

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12 This federal civil rights action was dismissed on grounds that plaintiff could not  
13 proceed as a pauper because he had at least three “strikes” within the meaning of 28 U.S.C.  
14 § 1915(g). (Dkt. No. 59.) The Ninth Circuit disagreed with the Court’s decision and  
15 remanded the action. (Dkt. No. 63.) Accordingly, this action is REOPENED. The Clerk  
16 shall modify the docket to reflect this. Plaintiff shall continue to proceed as a pauper in  
17 this action.

18 The Court directs defendants to refile their motion for summary judgment, with  
19 whatever revisions are appropriate, on or before **February 3, 2020**. (Dkt. No. 50.)  
20 Plaintiff’s opposition to the dispositive motion shall be filed within 45 days after the motion  
21 is filed. Defendants’ reply shall be filed within 15 days after the opposition has been filed.

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23 **IT IS SO ORDERED.**

24 **Dated:** October 31, 2019

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26 RICHARD SEEBORG  
27 United States District Judge  
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