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## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA PANAMA CITY DIVISION

## DAVID EUGENE GRAHAM,

Plaintiff,

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CASE NO. 5:10-cv-65-RS-GRJ

J T WITALEC, et al.,

Defendants.

## \_\_\_\_\_/

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This case is before the Court on Doc. 41, Defendants' first motion to dismiss.

Before the Court rules on this matter, the Plaintiff shall have an opportunity to respond.

Accordingly, it is **ORDERED**:

That Plaintiff shall have until **June 1**, **2011**, to respond to the motion to dismiss.

**DONE AND ORDERED** this 2<sup>nd</sup> day of May 2011.

'<u>Gary R. Jones</u>

GARY R. JONES United States Magistrate Judge