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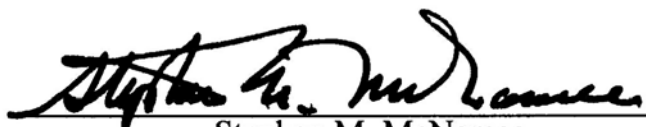
**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Joaquin Ybarra,	)	No. 1:05-CV-01013-SMM
Plaintiff,	)	<b>ORDER</b>
vs.	)	
A. Lamarque, et al.,	)	
Defendants.	)	

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Pursuant to 28 U.S.C. § 1915A(a), when a prisoner files a civil rights complaint seeking redress from a governmental entity, officer, or employee, the Court must screen the complaint “as soon as practicable” after docketing. 28 U.S.C. § 1915A(a). If a plaintiff has raised claims that are legally frivolous or malicious, fail to state a claim upon which relief may be granted, or seek monetary relief from a defendant who is immune from such relief, then the Court must dismiss the complaint or any portion thereof. 28 U.S.C. § 1915A(b)(1), (2). At this time, the above-captioned case has not been statutorily screened. The Court advises the parties that the Court is conducting statutory screening. The matter will proceed following the issuance of the statutory screening order.

DATED this 7<sup>th</sup> day of January, 2009.

  
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 Stephen M. McNamee  
 United States District Judge