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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MILES O. BONTY,

Plaintiff,

v.

R. INDERMILL, et al.,

Defendants.

CASE NO. CV-F-06-0129 OWW DLB P

ORDER DIRECTING PLAINTIFF TO FILE
AMENDED COMPLAINT

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On September 29, 2006, the undersigned recommended that this action be dismissed based on plaintiff's failure to exhaust all available administrative remedies pursuant to 42 U.S.C. § 1997e(a). The District Court adopted this recommendation on December 4, 2006. On July 12, 2007, the District Court granted plaintiff's motion to reconsider the order adopting based on a change in controlling authority. *See Jones v. Bock*, ___ U.S. ___, 127 S.Ct. 910 (2007) [inmate's failure to exhaust administrative remedies as to some but not all claims does not warrant dismissal]. The District Court noted that plaintiff's claims are not limited to the issues raised in his administrative appeal.

Based on the District Court's July 10, 2007 Order, plaintiff is ordered to file an amended complaint within 30 days, including only those claims that have been fully exhausted. The Court will then proceed to screen the amended complaint.

IT IS SO ORDERED.

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Dated: July 19, 2007

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE