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

**DANIEL PROVENCIO, JR., personally)
and as a successor in interest to DANIEL)
PROVENCIO, deceased, by his guardian)
ad litem, Maria Lucero, et al,)**

Plaintiffs,

v.

PATRICIA L. VAZQUEZ, et al

Defendants.

**1: 07 - CV - 00069 - AWI - BAK
ORDER AMENDING COURT'S
JULY 29, 2009 ORDER**

On July 29, 2009, the court issued an order granting in part and denying in part Defendant Michael Songer’s motion to dismiss. A review of the order reveals that it contains inconsistent instructions on whether Plaintiffs may file an amended complaint or a motion to file an amended complaint.

Plaintiffs are HEREBY given leave to file an amended complaint within twenty days of this order’s date of service. Any references to a motion to amend are removed from the July 29, 2009 order.

IT IS SO ORDERED.

Dated: August 18, 2009

/s/ Anthony W. Ishii

CHIEF UNITED STATES DISTRICT JUDGE