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

TREMAINE HUNTER,

1:07-cv-00151-AWI-SMS-PC

Plaintiff,

ORDER REQUIRING DEFENDANTS TO  
FILE RESPONSE TO SECOND AMENDED  
COMPLAINT WITHIN FORTY-FIVE DAYS

vs.

YATES, et al.,

Defendants.

\_\_\_\_\_ /

Tremaine Hunter (“plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the instant action in the Fresno County Superior Court on November 29, 2006. The action was removed to federal court by the defendants on January 24, 2007. (Doc. 1.)

This action now proceeds on plaintiff’s second amended complaint filed on January 5, 2009, against defendants James Yates (Warden) and Felix Igbinsosa (Chief Medical Dr.), on plaintiff’s Eighth Amendment Valley Fever claims.<sup>1</sup> The court has screened the second amended complaint pursuant to 28 U.S.C. § 1915A. At this stage of the proceedings, defendants Yates and Igbinsosa are required to file a response to the second amended complaint.

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<sup>1</sup>The Court issued an order on April 17, 2009, dismissing all remaining claims. (Doc. 23.)

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Accordingly, IT IS HEREBY ORDERED that defendants Yates and Igbiosa shall file a response to plaintiff's second amended complaint, filed January 5, 2009, within forty-five days of the date of service of this order.

IT IS SO ORDERED.

**Dated:** April 27, 2009

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE