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

JOHN MICHAEL CRIM,  
  
                    Plaintiff,  
  
          v.  
  
MANAGEMENT & TRAINING  
CORP., et al.,  
  
  
                    Defendants.

1:09-cv-02041-AWI-GSA-PC  
  
ORDER VACATING ORDER FOR  
PLAINTIFF TO SUBMIT SERVICE  
DOCUMENTS TO COURT  
(Doc. 61.)  
  
ORDER VACATING FINDINGS  
AND RECOMMENDATIONS OF  
JUNE 5, 2012  
(Doc. 62.)  
  
ORDER FOR PLAINTIFF TO FILE  
THIRD AMENDED COMPLAINT IN  
COMPLIANCE WITH COURT’S  
SCREENING ORDER  
(Doc. 59.)

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John Michael Crim (“Plaintiff”) is a prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to Bivens v. Six Unknown Agents, 403 U.S. 388 (1971). On May 25, 2012, the Court issued an Order requiring Plaintiff to either file a Third Amended Complaint that complies with Rule 18, or notify the Court of his willingness to proceed only against defendant McBride for retaliation or only against defendants Mann and Patrick for disciplinary action related to the IFRP. (Doc. 59.) On June 4, 2012, Plaintiff notified the Court in writing that he was willing to proceed only against defendants Mann and Patrick on the IFRP claim. (Doc. 60.) On June 5, 2012, the Court issued an Order

1 for Plaintiff to submit service documents to the Court to initiate service upon defendants Mann and  
2 Patrick, within thirty days. (Doc. 61.) On June 5, 2012, the Court also entered Findings and  
3 Recommendations, recommending that the remaining defendants be dismissed from this action. (Doc.  
4 62.) On June 8, 2012, Plaintiff notified the Court in writing that he has changed his mind about  
5 proceeding only against defendants Mann and Patrick, and now seeks to file a Third Amended  
6 Complaint. (Doc. 63.)

7 In light of Plaintiff's request to file a Third Amended Complaint, the Court shall vacate the Order  
8 requiring Plaintiff to submit service documents, and vacate the Findings and Recommendations.  
9 Plaintiff is now required to file a Third Amended Complaint pursuant to the Court's Screening Order  
10 of May 25, 2012.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The Court's Order requiring Plaintiff to submit service documents, issued on June 5,  
13 2012, is VACATED;
- 14 2. The Court's Findings and Recommendations, issued on June 5, 2012, are VACATED;  
15 and
- 16 3. Plaintiff is required to file a Third Amended Complaint pursuant to the Court's Screening  
17 Order of May 25, 2012.

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19 IT IS SO ORDERED.

20 **Dated: June 14, 2012**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE

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