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5 **UNITED STATES DISTRICT COURT**
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7EASTERN DISTRICT OF CALIFORNIA
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JOSEPH GILBERT,) 1:09cv02050 AWI DLB PC
v.) ORDER DIRECTING CLERK OF COURT TO
Plaintiff,) REDESIGNATE ACTION AS REGULAR
JAMES A. YATES, et al.,) CIVIL CASE
Defendants.)

)15 On November 20, 2009, Plaintiff Joseph Gilbert, a state prisoner, filed this civil rights
16 action. Plaintiff is represented by legal counsel and is proceeding in forma pauperis. As Plaintiff
17 is represented by counsel, the Court DIRECTS the Clerk of Court to REDESIGNATE this action
18 as a regular civil action.

19 No scheduling conference should be set at this time.

20 Plaintiff is advised that the court is required to screen complaints brought by prisoners
21 seeking relief against a governmental entity or officer or employee of a governmental entity. 28
22 U.S.C. § 1915A(a). The court must dismiss a complaint or portion thereof if the prisoner has
23 raised claims that are legally "frivolous, malicious," fail to state a claim upon which relief
24 may be granted, or seek monetary relief from a defendant who is immune from such relief.
25 28 U.S.C. § 1915A(b)(1),(2). The court will screen Plaintiff's complaint in due course.

26 IT IS SO ORDERED.

27 Dated: October 9, 201028 /s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE