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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOSEPH GILBERT,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

) 1:09cv02050 AWI DLB PC

)
) ORDER DIRECTING CLERK OF COURT TO
) REDESIGNATE ACTION AS REGULAR
) CIVIL CASE

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

No scheduling conference should be set at this time.

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

IT IS SO ORDERED.

Dated: October 9, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE