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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LUIS ROBERTO MARTINEZ,  
  
                    Plaintiff,  
  
          v.  
  
TAMI ARDEN,  
  
                    Defendant.

Case No. 1:10-cv-01569 AWI DLB PC  
  
ORDER FINDING COGNIZABLE CLAIM  
AND DIRECTING DEFENDANT ARDEN TO  
FILE A RESPONSIVE PLEADING TO  
SECOND AMENDED COMPLAINT  
  
[ECF No. 34]  
  
THIRTY-DAY DEADLINE

Plaintiff Luis Roberto Martinez (“Plaintiff”) is a California state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on August 31, 2010. The Court has screened Plaintiff’s Second Amended Complaint pursuant to 28 U.S.C. § 1915A and finds that it states a cognizable claim for cruel and unusual punishment in violation of the Eighth Amendment against Defendant Arden.

Accordingly, IT IS HEREBY ORDERED that Defendant Arden shall file a response to the Second Amended Complaint within thirty (30) days of the date of service of this order.

IT IS SO ORDERED.

Dated: October 15, 2014

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE