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

VENCIL GREEN,

Plaintiff,

vs.

DR. LARRY N. FERGUSON, et al.,

Defendants.

Case No. 1:10-cv-01768 AWI JLT (PC)

ORDER REGARDING THE COURT’S  
PREVIOUS ORDER FINDING SERVICE OF  
ORIGINAL COMPLAINT APPROPRIATE

(Doc. 15)

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Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983.

Following screening of Plaintiff’s original complaint, the Court found Plaintiff had raised two cognizable claims: (1) inadequate medical care in violation of the Eighth Amendment against Defendants Ferguson and Lackovic; and (2) retaliation in violation of the First Amendment against Defendants Ferguson and Lackovic. (Doc. 10). Pursuant to this finding, the Court ordered Plaintiff to notify the Court as to whether he wished to proceed only on those claims found cognizable or file an amended complaint. (Doc. 10). On August 12, 2011, Plaintiff notified the Court in writing that he wished to proceed on “only those claims found cognizable by the Court” in his originally filed complaint. (Doc. 12).

On September 23, 2011, the Court ordered service of Plaintiff’s original complaint. (Doc. 15). However, on October 3, 2011, the Court received Plaintiff’s submission of documents, which included

1 a copy of Plaintiff's amended complaint. Plaintiff's submission of a newly amended complaint fails to  
2 comply with the Court's earlier order which found service of Plaintiff's original complaint appropriate.

3 Accordingly, it is HEREBY ORDERED that:

- 4 1. Within fourteen (14) days from the date of this order, Plaintiff will submit to this Court  
5 Two (2) copies of the original endorsed complaint.
- 6 2. Plaintiff is once again cautioned that **failure to comply with this order will result in**  
7 **a recommendation dismissing this action.**

8 IT IS SO ORDERED.

9 Dated: October 4, 2011

/s/ **Jennifer L. Thurston**  
UNITED STATES MAGISTRATE JUDGE

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