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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NOKKUWA K. ERVIN,)	1:10-cv-01859-AWI-SKO-PC
)	
Plaintiff,	)	(formerly 1:10-cv-01859-AWI-SKO-
	)	HC)
)	
v.	)	ORDER GRANTING PETITIONER'S
	)	MOTION TO FILE A FIRST AMENDED
CALIFORNIA DEPARTMENT OF	)	CIVIL RIGHTS COMPLAINT AND
CORRECTIONS AND	)	DIRECTING THE CLERK TO FILE THE
REHABILITATION, et al.,	)	COMPLAINT (DOCS. 12, 13)
)	
Defendant.	)	ORDER DIRECTING THE CLERK TO
	)	REDESIGNATE THIS ACTION AS A
	)	PRISONER CIVIL RIGHTS CASE,
	)	REMOVE THE "HC" FROM THE CASE
	)	NUMBER, AND SUBSTITUTE "PC"
)	
	)	ORDER DIRECTING THE CLERK TO SEND
	)	NOTICE OF THE NEW CASE NUMBER
)	
	)	ORDER DIRECTING THE PARTIES TO
	)	USE THE NEW PRISONER CIVIL RIGHTS
	)	CASE NUMBER

On September 14, 2010, Petitioner filed a petition for writ of habeas corpus concerning various conditions of confinement. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) (1) and Local Rules 302 and 303.

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1 I. Granting Motion to File the First Amended Complaint
2 and Deeming the Complaint Properly Filed

3 Pending before the Court is a motion to amend the petition
4 and to convert it to a civil rights complaint pursuant to 42
5 U.S.C. § 1983 concerning various conditions of confinement. The
6 Court understands this motion to be one seeking to file a first
7 amended complaint.

8 Good cause appearing, Petitioner's motion to file a first
9 amended complaint is GRANTED, and the Clerk shall FILE the first
10 amended complaint lodged with the Court on November 29, 2010.

11 II. Redesignating the Action as a Prisoner Civil Rights
12 Action

13 Plaintiff's action now proceeds as a prisoner civil rights
14 action pursuant to 42 U.S.C. § 1983.

15 Accordingly, the Clerk of the Court is DIRECTED to change
16 the designation of the present case to reflect that of a prisoner
17 civil rights action by removing the "HC" from the case number and
18 substituting "PC" and to send a notice of the new case number to
19 all parties in this action.

20 Further, the parties are DIRECTED to use the redesignated
21 case number, to which the "PC" suffix has been substituted, in
22 the pleadings and documents filed in this action.

23 IT IS SO ORDERED.

24 Dated: December 6, 2010

25 /s/ Sheila K. Oberto
26 UNITED STATES MAGISTRATE JUDGE
27
28