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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY NGUYEN,
Plaintiff,
v.
M. D. BITER,
Defendant.

Case No. 1:11-cv-00809-AWI-SKO (PC)
ORDER GRANTING MOTIONS TO FILE
SUPPLEMENTAL COMPLAINT AND
DIRECTING CLERK'S OFFICE TO FILE IN
SECOND SUPPLEMENTAL COMPLAINT
(Doc. 115 and 130)

Plaintiff Anthony Nguyen ("Plaintiff"), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on May 18, 2011. This action is proceeding against Defendant M. D. Biter ("Defendant") for violation of the Eighth Amendment of the United States Constitution, a claim which arises from Plaintiff's allegations that he was exposed to arsenic-contaminated water while at Kern Valley State Prison in Delano, California.¹

On September 15, 2014, Plaintiff filed a motion seeking leave to file a supplemental complaint. Fed. R. Civ. P. 15(d). On January 20, 2015, Plaintiff filed a second motion for leave to file a supplemental complaint, accompanied by the proposed second supplement.² On February 6, 2015, Defendant filed a notice of non-opposition. Local Rule 230(I).

Plaintiff seeks leave to supplement his complaint to add facts relating to recent medical treatment, facts he contends are relevant to his arsenic exposure claim. Given the nature of the

¹ Plaintiff is presently incarcerated at California State Prison-Centinel in Imperial.

² Plaintiff filed a first supplemental complaint on February 26, 2013. (Doc. 76.)

1 proposed supplemental pleading, Plaintiff's motions for leave to file a supplemental complaint are
2 HEREBY GRANTED and the Clerk's Office shall file in the proposed second supplemental
3 complaint (doc. 130, pp. 2-6). Fed. R. Civ. P. 15(d).

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5 IT IS SO ORDERED.

6 Dated: March 24, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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