



1 On January 27, 2014, Plaintiff submitted service documents and the Court directed the United  
2 States Marshal to serve the First Amended Complaint on Defendants Stronach, Gonzales, LeMay,  
3 Beltran, Fisher, Snell and Tann.

4 On January 30, 2014, despite his prior agreement to proceed on the cognizable claims, Plaintiff  
5 filed a Motion for Leave to File a Supplemental Pleading. Plaintiff states that he wants to amend his  
6 complaint to cure the deficiencies in his allegations against Defendants Kelso and Enenmoh.  
7 Plaintiff's motion is inconsistent with his willingness to proceed only on the cognizable claims.

8 Accordingly, within twenty-one days, Plaintiff shall CLARIFY his intent. If Plaintiff is willing  
9 to proceed on the cognizable claims, he shall notify the Court and the Findings and Recommendations  
10 will be adopted and this action will move forward accordingly. If Plaintiff intends to file an amended  
11 complaint, he shall notify the Court and the Findings and Recommendations will be vacated. **If**  
12 **Plaintiff elects to amend, his amended complaint will be screened in due course and the January**  
13 **27, 2014, order directing service will be vacated.**

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16 IT IS SO ORDERED.

17  
18 Dated: February 4, 2014

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE