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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. PAYAN,	)	1:13cv00807 LJO DLB PC
	)	
Plaintiff,	)	ORDER GRANTING DEFENDANTS’
	)	REQUEST TO SCREEN COMPLAINT
vs.	)	(Document 82)
	)	
H. TATE, et al.,	)	
	)	
Defendants.	)	

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Plaintiff Michael J. Payan (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on May 28, 2013. This action is proceeding on the following cognizable claims: (1) retaliation in violation of the First Amendment by Defendants Bingamon, Tate and Vu; and (2) deliberate indifference to a serious medical need in violation of the Eighth Amendment against Defendants Bingamon, Tate, Vu, Shiesha and Joaquin.

Defendants’ May 19, 2015, motion for summary judgment based on exhaustion is pending.

On August 25, 2015, the Court granted Plaintiff’s motion to amend. The Court also ordered Defendants, within thirty (30) days of the date of being served with Plaintiff’s amended complaint, to inform the Court whether they (1) would accept service for the newly-served Defendants; and (2) would update the pending motion for summary judgment.

1 Plaintiff filed his amended complaint on October 19, 2015.

2 On October 30, 2015, Defendants requested relief from the Court's August 25, 2015,  
3 asking that the Court first screen the amended complaint.

4 The Court does not always screen complaints after granting leave to amend where certain  
5 Defendants have already appeared. However, given Defendants' request to do so, the Court will  
6 GRANT Defendants' request for relief and screen the amended complaint prior to requiring any  
7 further action from Defendants.  
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9 IT IS SO ORDERED.

10 Dated: November 2, 2015

11 /s/ Dennis L. Beck  
12 UNITED STATES MAGISTRATE JUDGE  
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