

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWARD T. FURNACE,

Plaintiff,

v.

CONNIE GIPSON, et al.,

Defendants.

CASE NO. 1:14-cv-00814-LJO-MJS (PC)

**ORDER GRANTING MOTION FOR
CLARIFICATION**

(ECF No. 17)

FOURTEEN (14) DAY DEADLINE

Plaintiff, Edward Terran Furnace, a.k.a. Asar Tauf Shakanasa, is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. (ECF No. 1).

The Court dismissed Plaintiff's original complaint with leave to amend on January 21, 2015. (ECF 15). Before receiving the screening order, however, Plaintiff submitted an amended complaint. On February 5, 2015, Plaintiff filed a motion for clarification. (ECF No. 17), asking the Court to verify that it received his amended complaint and to clarify whether it "still want[s] him to further amend" his complaint.

The Court verifies that Plaintiff's amended complaint was filed on January 26, 2015. (ECF No. 16). However, the Court leaves to Plaintiff to decide whether he wishes

1 to proceed with screening of the January 26 amended complaint or instead to withdraw it
2 and file a new amended complaint, taking into consideration the Court's January 21
3 screening order. Plaintiff is advised that if he decides to proceed with screening of the
4 already-filed January 26 amended complaint, and the allegations are found to be
5 deficient for reasons stated in the Court's prior screening order, the January 26 amended
6 complaint may be dismissed **without** further leave to amend.
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8 The Court gives Plaintiff fourteen (14) days to notify the court of his decision.

9 For the foregoing reasons and in the foregoing way, Plaintiff's Motion for
10 Clarification is GRANTED.
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12 IT IS SO ORDERED.
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14 Dated: February 6, 2015

/s/ Michael J. Seng
15 UNITED STATES MAGISTRATE JUDGE
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