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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CHESTER RAY WISEMAN,)	Case No.: 1:14-cv-00831-DAD-SAB (PC)
Plaintiff,)	
v.)	ORDER DENYING DEFENDANTS' REQUEST TO SCREEN FOURTH AMENDED COMPLAINT
MATTHEW CATE, et al.,)	(ECF No. 73)
Defendants.)	
)	
)	
)	

Plaintiff Chester Ray Wiseman is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On December 7, 2015, findings and recommendations issued recommending, as applicable here, that Plaintiff's third amended complaint be dismissed with leave to amend only as to Plaintiff's claim for deliberate indifference to Plaintiff's serious medical need. (ECF No. 55.) After receiving extensions of time, Plaintiff filed an objection to the findings and recommendations and lodged a fourth amended complaint on February 22, 2016. (ECF Nos. 62, 65.) On January 24, 2017, Defendants filed a request for screening of the fourth amended complaint.

While the findings and recommendations recommended granting Plaintiff the opportunity to file an amended complaint, it has not been adopted and Plaintiff has not been granted an opportunity to file a fourth amended complaint. As Plaintiff has not been granted leave to file an amended complaint, the Court finds that Defendant's request to screen the lodged complaint is premature. The

1 amended complaint shall be addressed once the district judge addresses the findings and
2 recommendations.

3 Accordingly, Defendants' motion for the court to screen the fourth amended complaint is
4 DENIED.

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6 IT IS SO ORDERED.

7 Dated: July 12, 2017


8 UNITED STATES MAGISTRATE JUDGE

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