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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	SIMON THORNTON,	CASE NO. 1:14-cv-0920-LJO-MJS (PC)
10	Plaintiff,	ORDER REGARDING LODGED THIRD
11	V.	AMENDED COMPLAINT
12	L. DILEO, et al.,	(ECF No. 14)
13	Defendants.	CLERK TO RETURN THIRD AMENDED COMPLAINT TO PLAINTIFF
14		COM LANT TO I LANTINI
15	Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil	
16	rights action brought pursuant to 42 U.S.C. § 1983. On December 24, 2014, Plaintiff filed	
17	a motion for voluntary dismissal. (ECF No. 12.) The action was dismissed without	
18	prejudice on January 5, 2015. (ECF No. 13.) Also on January 5, 2015, Plaintiff lodged a	
19	proposed third amended complaint. (ECF No. 14.)	
20	The action is closed and Plaintiff's third amended complaint will not be filed.	
21	Plaintiff may, if he chooses, refile his proposed complaint in a new action. The Clerk's	
22	Office is HEREBY DIRECTED to return the lodged third amended complaint (ECF No.	
23	14) to Plaintiff.	
24	IT IS SO ORDERED.	
25	TI IO OO ORDERED.	
26	Dated: <u>January 12, 2015</u>	181 Michael J. Seng
27		UNITED STATES MÄGISTRATE JUDGE
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