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

ALBERT J. HAMILTON,)	Case No.: 1:15-cv-00661-AWI-SAB (PC)
Plaintiff,)	
v.)	ORDER DIRECTING DEFENDANT CLENDEHEN
CLENDEHEN,)	TO FILE A RESPONSE TO PLAINTIFF'S THIRD
Defendant.)	AMENDED COMPLAINT, FILED MAY 4, 2016
)	[ECF Nos. 43, 44]
)	
)	

Plaintiff Albert J. Hamilton is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c), Plaintiff consented to the jurisdiction of the United States Magistrate Judge on May 28, 2015. Local Rule 302.

On April 8, 2016, the Court granted Defendant's motion to dismiss Plaintiff's prayer for relief and granted Plaintiff leave to file a second amended complaint. (ECF No. 40.) Plaintiff filed a second amended complaint on April 18, 2016. (ECF No. 41.) However, despite the Court's advisement, Plaintiff's second amended complaint was not complete within itself and referenced the first amended complaint previously filed with the Court. Accordingly, on April 20, 2016, the Court directed Plaintiff to file a third amended complaint. (ECF No. 43.) Plaintiff filed the third amended complaint on May 4, 2016, and Defendant requested the Court screen the third amended complaint on May 13, 2016.

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1 The Court has screened Plaintiff's third amended complaint pursuant to 28 U.S.C. § 1915A
2 and finds that Plaintiff states a cognizable claim for damages based on Defendant Clendenen's failure
3 to protect him in violation of the Eighth Amendment. Accordingly, within thirty (30) days from the
4 date of service of this order, Defendant Clendenen shall file a response to Plaintiff's third amended
5 complaint, filed on May 4, 2016.

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7 IT IS SO ORDERED.

8 Dated: May 16, 2016



UNITED STATES MAGISTRATE JUDGE

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