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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 ALTON KING, ) Case No.: 1:15-cv-00698-SAB (PC)  
12 )  
13 Plaintiff, )  
14 v. ) ORDER STRIKING PLAINTIFF'S FIRST  
15 CALISTRO, et al., ) AMENDED COMPLAINT AND DIRECTING  
16 Defendants. ) CLERK OF COURT TO FILE SECOND  
 ) AMENDED COMPLAINT, LODGED ON  
 ) SEPTEMBER 21, 2015  
 ) [ECF Nos. 10, 11]  
 )

17 Plaintiff Alton King is appearing pro se and in forma pauperis in this civil rights action  
18 pursuant to 42 U.S.C. § 1983.

19 On July 8, 2015, the Court screened Plaintiff's original complaint and instructed Plaintiff to  
20 either file an amended complaint or notify the Court of willingness to proceed on the claims found to  
21 be cognizable. (ECF No. 7.)

22 On September 16, 2015, Plaintiff filed a first amended complaint, and on September 21, 2015,  
23 Plaintiff submitted a second amended complaint which was lodged by the Court. (ECF Nos. 10, 11.)  
24 In light of the fact that Plaintiff submitted a second amended complaint, the Court will strike  
25 Plaintiff's first amended complaint from the record and direct the Clerk of Court to file the second  
26 amended complaint which will be screened in due course. 28 U.S.C. § 1915A.

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Based on the foregoing, it is HEREBY ORDERED that:

1. Plaintiff's first amended complaint, filed September 16, 2015, is stricken from the record; and
2. The Clerk of Court is directed to file Plaintiff's second amended complaint, lodged September 21, 2015, which will be screened in due course.

IT IS SO ORDERED.

Dated: October 16, 2015

  
UNITED STATES MAGISTRATE JUDGE