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4 **UNITED STATES DISTRICT COURT**

5 EASTERN DISTRICT OF CALIFORNIA  
6

7 SCOTT K. RICKS,

8 Plaintiff,

9 v.

10 KAMENA, et al.,

11 Defendants.

Case No. 1:15-cv-00715-BAM (PC)

12 ORDER REGARDING OPERATIVE  
13 COMPLAINT

14 Plaintiff Scott K. Ricks (“Plaintiff”) is a state prisoner proceeding pro se and in forma  
15 pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

16 On July 28, 2017, the Court ordered Plaintiff to file a first amended complaint, limited to  
17 the revision of his damages claim, or notify the Court of his willingness to proceed on the  
18 damages pled in the original complaint. (ECF No. 30.) Plaintiff was expressly warned that  
19 failure to comply with the Court’s order would result in the Court proceeding on the damages  
20 pled in the complaint filed on May 8, 2015. (*Id.* at 3.) Plaintiff failed to file an amended  
complaint or otherwise communicate with the Court.

21 Pursuant to the Court’s order of July 28, 2017, IT IS HEREBY ORDERED that this  
22 action shall proceed only on the claims found cognizable and damages pled in the complaint filed  
23 on May 8, 2015.

24 IT IS SO ORDERED.  
25

26 Dated: September 11, 2017

27 /s/ *Barbara A. McAuliffe*  
28 UNITED STATES MAGISTRATE JUDGE