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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JAKAN CHAMEL MILLS,  
Plaintiff,  
v.  
RYAN MILLER, et al.,  
Defendants.

CASE NO. 1:16-cv-0689- MJS (PC)  
**ORDER FOR CLARIFICATION**  
**(ECF No. 7)**  
**FOURTEEN DAY DEADLINE**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff has consented to magistrate judge jurisdiction. (ECF No. 5.) No other parties have appeared in this action.

On August 19, 2016, the undersigned screened Plaintiff's complaint and found it stated an Eighth Amendment excessive force claim against Defendants Bonffil, Clark, Souvannakham, Pinedo, and Ryan. Plaintiff was informed that he could proceed on the complaint as screened or file an amended complaint.

Pending now is Plaintiff's "motion to withdraw complaint." (ECF No. 7.) Plaintiff does not elaborate on the nature of his request. It may be that he wants to dismiss the action pursuant to Federal Rule of Civil Procedure 41(a) or that he wishes to amend the

1 complaint pursuant to Federal Rule of Civil Procedure 15(a) or even that he wants to  
2 dismiss all but the above-referenced cognizable Eighth Amendment claim.

3 Accordingly, it is HEREBY ORDERED that within fourteen days of the date of this  
4 Order Plaintiff file a notice clarifying the nature and objective of this motion; he should  
5 simply state what it is he wants to accomplish with the motion. If Plaintiff does not  
6 comply with this Order, the Court will construe his motion as one for dismissal pursuant  
7 to Rule 41(a).

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9 IT IS SO ORDERED.

10 Dated: September 22, 2016

*/s/ Michael J. Seng*  
11 UNITED STATES MAGISTRATE JUDGE

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