

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RICHARD CASAREZ SAPIEN,  
Plaintiffs,  
v.  
AUDREY CHAPPELLE, et al.,  
Defendants.

Case No. 1:16-cv-00910-DAD-MJS

ORDER VACATING FINDINGS AND  
RECOMMENDATIONS

(ECF NO. 9)

15 Plaintiff is proceeding pro se and in forma pauperis in this action filed on June 24,  
16 2016. On January 3, 2018, following Plaintiff's failure to file an amended complaint as  
17 ordered by the Court, the undersigned issued findings and recommendations to dismiss  
18 the action with prejudice for failure to obey a court order and failure to prosecute. (ECF  
19 No. 9.) On January 18 2018, Plaintiff filed objections to the findings and  
20 recommendations and also filed a first amended complaint. (ECF Nos. 10, 11.)

21 As Plaintiff has now complied with the Court's order requiring him to file an  
22 amended complaint, the findings and recommendations are HEREBY VACATED. The  
23 Court will screen Plaintiff's complaint in due course. 28 U.S.C. § 1915(e)(2)(B)(ii).

IT IS SO ORDERED.

Dated: February 9, 2018

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