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2
3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF CALIFORNIA
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6 PETER HONESTO,

7 Plaintiff,

8 v.

9 JERRY BROWN, et al.,

10 Defendants.
11

1:17-cv-00467-LJO-EPG (PC)

ORDER DENYING PLAINTIFF’S MOTION
TO SUBMIT EVIDENCE IN SUPPORT OF
FIRST AMENDED COMPLAINT
(ECF NO. 20)

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13 Peter Honesto (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in
14 this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed his First Amended
15 Complaint on March 29, 2017. (ECF No. 15). The First Amended Complaint has not yet been
16 screened. On April 19, 2017, Plaintiff filed a motion to submit evidence in support of the First
17 Amended Complaint, and a notice of the motion. (ECF No. 20). Plaintiff states that he
18 received medical records on April 6, 2017, and asks to be allowed to submit them in support of
19 his First Amended Complaint (although the motion itself does not ask for any form of relief).

20 Plaintiff’s motion will be denied. Plaintiff does not need to submit evidence at this
21 stage in the proceedings. In screening Plaintiff’s First Amended Complaint to determine if it
22 states a claim, the Court will take Plaintiff’s factual allegations as true without the need for
23 supporting evidence at this time.

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1 Accordingly, IT IS ORDERED that Plaintiff’s motion to submit evidence in support of
2 the First Amended Complaint is DENIED, without prejudice to the evidence being filed at a
3 later date.

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5 IT IS SO ORDERED.

6 Dated: April 20, 2017

/s/ Eric P. Guoj
7 UNITED STATES MAGISTRATE JUDGE