

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8 ANTHONY CEASAR HERNANDEZ,

9 Plaintiff,

10 v.

11 BALLAM, et al.,

12 Defendants.

Case No.: 1:17-cv-00468-LJO-BAM (PC)

ORDER GRANTING DEFENDANTS'
REQUEST FOR CLARIFICATION

[ECF No. 41]

13
14
15 Plaintiff Anthony Ceasar Hernandez is a state prisoner proceeding *pro se* and *in forma*
16 *pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

17 Currently before the court is Defendants' request for clarification of the April 9, 2018
18 order granting Plaintiff leave to amend his prayer for relief. (ECF No. 41.) Defendants request
19 clarification of their deadline to file a responsive pleading.

20 Defendants are correct that, assuming Plaintiff complies with the court's order and files a
21 proposed third amended complaint in this action, that pleading will supersede the current second
22 amended complaint. Further, that pleading must be screened under the Prison Litigation Reform
23 Act and to ensure compliance with the Court's order before Defendants are required to file any
24 responsive pleading.

25 Therefore, Defendants' request for an extension of time to file a responsive pleading in
26 this action is granted. The court will issue an order setting a deadline for Defendants' responsive
27 pleading after the operative complaint in this action is determined, and their obligation to
28 respond is relieved until further order of the court.

