

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARCUS L. LINTHECOME,
Plaintiff,
v.
ALFARO, et al.,
Defendants.

Case No. 1:17-cv-00872-SKO (PC)

**ORDER DIRECTING CLERK’S OFFICE TO
RE-DESIGNATE ACTION FROM 550
(CONDITIONS OF CONFINEMENT) TO 530
(HABEAS CORPUS) AND VACATING FIRST
INFORMATIONAL ORDER**

(Docs. 1, 16, 25)

Proceeding *pro se*, Plaintiff, Marcus L. Linthecome, filed a civil action on April 12, 2017. (Doc. 1.) Plaintiff has informed the Court that he desires to pursue this action as a writ for habeas corpus, and not based on conditions of confinement under 42 U.S.C. § 1983.

Accordingly, the Court HEREBY ORDERS as follows:

1. The Clerk of the Court shall re-designate this action from 550 (conditions of confinement) to 530 (habeas corpus);
2. The First Informational Order, filed on July 5, 2017, (Doc. 16), is VACATED;
and
3. The Clerk of the Court is directed to send Plaintiff a habeas petition form.

IT IS SO ORDERED.

Dated: August 30, 2017

/s/ Sheila K. Olerto
UNITED STATES MAGISTRATE JUDGE