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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EARNEST S. HARRIS,  
Plaintiff,  
v.  
SEXTON, et al.,  
Defendants.

No. 1:18-cv-0080 KJM DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. §1983. Plaintiff alleges defendants’ use of the Guard One security check system violated his Eighth Amendment rights. On July 5, 2023, this court ordered plaintiff to file a renewed motion to amend his second amended complaint within thirty days. Thirty days have passed and plaintiff has not filed a renewed motion or otherwise responded to the court’s July 5 order. Since plaintiff has failed to comply with the court’s order despite ample opportunity to do so, this court will not further delay these proceedings. The case will proceed on plaintiff’s second amended complaint filed February 2, 2019 (ECF No. 42), as supplemented with plaintiff’s Eighth and First Amendment claims against defendant Flores (see Jan. 17, 2023 Order (ECF No. 100)).

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It does not appear that defendant Flores has filed a response to the second amended complaint, as supplemented. Accordingly, IT IS HEREBY ORDERED that within 30 days of the date of this order, defendant Flores shall file a response to the second amended complaint.

Dated: September 8, 2023



DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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DB Prisoner Inbox/Civil Rights/R/harr0080.flores ans