

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**

ANDREANA WINTER,)	Case No. 1:21-cv-01194-SAB (PC)
Plaintiff,)	
v.)	ORDER VACATING ORDER TO SHOW CAUSE
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, et al.,)	(ECF No. 4)
Defendants.)	
)	

Plaintiff Andreana Winter is proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

Plaintiff, along with another inmate, initially filed this action on November 6, 2020, in case number 1:20-cv-01584-JLT. On August 6, 2021, the Court ordered that the action brought by Plaintiff Andreana Winter be severed and filed under a new case number.

On August 10, 2021, the Court directed Plaintiff to submit an application to proceed in forma pauperis or pay the filing fee within forty-five days. (ECF No. 3.) Plaintiff failed to comply with the Court's August 10, 2021 order. Therefore, on October 5, 2021, the Court ordered Plaintiff to show cause within fourteen days why the action should not be dismissed.

///
///

1 Upon further review of the initial action filed by Plaintiff and fellow inmate Jonathan Kohut,
2 Plaintiff filed an application to proceed in forma pauperis which was granted on November 12, 2020.¹
3 Inasmuch as Plaintiff filed an application to proceed in forma pauperis which was previously granted,
4 it is HEREBY ORDERED that the October 5, 2021 order to show cause for failure to file an
5 application to proceed in forma pauperis is VACATED, and the Court will screen Plaintiff's complaint
6 in due course.

7
8 IT IS SO ORDERED.

9 Dated: October 26, 2021



UNITED STATES MAGISTRATE JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

¹ The Court takes judicial notice of Plaintiff's motion to proceed in forma pauperis and the order granting such request.
Fed. R. Evid. 201(b).