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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CURTIS LEE SWYGERT,

Plaintiff,

Case No. 2:06-cv-00725 ALA (P)

vs.

MARTIN VEAL, et al.,

ORDER

Defendants.

_____ /

On February 4, 2009, Plaintiff Curtis Lee Swygert (“Plaintiff”) filed a “Request for Permission to File Amendment to Complaint” with a proposed order (Doc. No. 73) and an Amendment to Complaint (Doc. No. 74). Plaintiff’s request sought to amend the complaint by filing the amendment to complaint rather than retyping the entire complaint. Doc. No. 73 at 1.

The Plaintiff’s request (Doc. No. 73) is GRANTED and, accordingly, the Complaint (Doc. No. 1) and Amendment to Complaint (Doc. No. 74) shall be considered together as Plaintiff’s operative pleading in this action.

DATED: February 9, 2009

/s/ Arthur L. Alarcón
UNITED STATES CIRCUIT JUDGE
Sitting by Designation