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

EDWARD THOMAS,

Plaintiff,

No. CIV S-09-871 KJM P

vs.

L. BETTI, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. The defendants removed this case from the Superior Court of Lassen County, pursuant to 28 U.S.C. § 1441(b) and have paid the applicable filing fee. This proceeding was referred to this court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b)(1).

The complaint states a cognizable claim for relief pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1915A(b). If the allegations of the complaint are proven, plaintiff has a reasonable opportunity to prevail on the merits of this action against all named defendants.

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In accordance with the above, IT IS HEREBY ORDERED that the defendants file a response to the complaint within thirty days of the entry of this order.

DATED: August 24, 2009.

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U.S. MAGISTRATE JUDGE