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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 PAUL SAMUEL JOHNSON,

11 Plaintiff,

No. 2:11-cv-2749 MCE CKD P

12 vs.

13 MATTHEW CATE, et al.,

14 Defendants.

ORDER

15 _____/

16 On February 17, 2012, the court screened plaintiff's complaint and found service
17 of process to be appropriate for defendant Mead. In documents recently filed with the court by
18 plaintiff, plaintiff indicates the correct name of the defendant identified as "Mead" in plaintiff's
19 complaint is "Mears." This being the case, plaintiff's complaint, as it is written, fails to state a
20 claim upon which relief can be granted. The complaint will be dismissed and plaintiff will be
21 granted thirty days within which to file an amended complaint identifying "C. Mears" as a
22 defendant in this action.

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1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. Plaintiff's complaint is dismissed.

3 2. Plaintiff is granted thirty days within which to file an amended complaint
4 identifying "C. Mears" as a defendant in this action.

5 3. Failure to file an amended complaint within 30 days will result in a
6 recommendation that this action be dismissed without prejudice.

7 Dated: June 19, 2012

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9 CAROLYN K. DELANEY
10 UNITED STATES MAGISTRATE JUDGE

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