1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 LEON E. MORRIS, No. 2:12-cv-1202 MCE KJN P 12 Plaintiff, 13 **ORDER** v. 14 DR. NANGALAMA, et al., 15 Defendants. 16 17 On January 13, 2014, the United States Court of Appeals for the Ninth Circuit found that 18 Plaintiff had not sustained three strikes as set forth in 28 U.S.C. § 1915(g), and reversed the 19 August 28, 2013 and September 24, 2013 orders denying reconsideration of the order revoking 20 Plaintiff's in forma pauperis status. Accordingly, the November 14, 2013 order and judgment, 21 the March 8, 2013 order, and the October 4, 2013 and January 29, 2013 findings and 22 recommendations are vacated. 23 By order filed January 29, 2013, Plaintiff's motion to amend was granted, and Plaintiff 24 was granted leave to file a second amended complaint that complies with the July 5, 2012 25 screening order, and which includes all of Plaintiff's claims. See ECF No. 21 at 3. Inasmuch as 26 Plaintiff is presently pursuing claims in other actions in this court, Plaintiff should take care not to 27 raise in his second amended complaint allegations that duplicate claims pending in Plaintiff's 28 other cases. 1

Accordingly, IT IS HEREBY ORDERED that: 1. The November 14, 2013 Order and Judgment, ECF Nos. 34-35, are VACATED; 2. The March 8, 2013 Order, ECF No. 22, and the January 29, 2013 and October 4, 2013 findings and recommendations, ECF Nos. 21, 30, are VACATED; 3. Plaintiff's in forma pauperis status is REINSTATED; and 4. Within thirty days from the date of this order, Plaintiff shall file a Second Amended Complaint that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local Rules of Practice; the Second Amended Complaint must bear the docket number assigned this case and must be labeled "Second Amended Complaint"; Plaintiff must file an original and one copy of the Second Amended Complaint; failure to file a Second Amended Complaint in accordance with this Order will result in a recommendation that this action be dismissed. IT IS SO ORDERED. Dated: March 3, 2014 MORRISON C. ENGLAND, JR., CHIEF JUDGE UNITED STATES DISTRICT COURT