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

10 NOEL KEITH WATKINS,

11 Plaintiff,

No. 2: 12-cv-1343 GEB JFM (PC)

12 vs.

13 VAMIL SINGH, et al.,

14 Defendant.

ORDER

15 _____/
16 Plaintiff is a state prisoner proceeding *pro se* and in forma pauperis with an action
17 filed pursuant to 42 U.S.C. § 1983.

18 On December 20, 2012, the court screened the amended complaint that was filed
19 on November 29, 2012. The amended complaint was dismissed but plaintiff was given thirty
20 days leave to file a second amended complaint. Presently before the court is plaintiff's motion
21 for an extension of time to file an amended complaint. Good cause appearing, the motion will be
22 granted.

23 Plaintiff has also filed a motion to proceed in forma pauperis. However, plaintiff
24 was previously granted in forma pauperis status. Therefore, his motion to proceed in forma
25 pauperis not necessary.

26 Finally, plaintiff has filed a motion to correct a filing. The docket indicates that

1 plaintiff filed amended complaints on December 19, 2012 and December 28, 2012. Both of
2 these amended complaints were dated prior to the December 20, 2012 order which screened the
3 November 29, 2012 amended complaint. The two December amended complaints allege that
4 plaintiff was assaulted while in prison which is different from plaintiff's deliberate indifference
5 claims that he raised in the November 29, 2012 amended complaint. Plaintiff alleges that the
6 December filings should be filed as a separate action and requests that the court make it so. In
7 light of the fact that plaintiff has filed numerous complaints, and so as to avoid any possible
8 confusion, the motion to correct filing will be denied.¹

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. Plaintiff's motion for an extension of time to file an amended complaint (Dkt.
11 No. 29.) is GRANTED and plaintiff shall file an amended complaint within thirty (30) days of
12 the date of this order.

13 2. Plaintiff's motion to proceed in forma pauperis (Dkt. No. 27.) is DENIED AS
14 UNNECESSARY; and

15 3. Plaintiff's motion to correct filing (Dkt. No. 28.) is DENIED.

16 DATED: January 17, 2013.

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19 UNITED STATES MAGISTRATE JUDGE

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24 ¹ Should plaintiff wish to proceed with a case arising from the allegations of the
25 December 2012 amended complaints, plaintiff should follow the procedure he followed when he
26 initiated this case in May 2012. In light of plaintiff's motion for an extension of time to file an
amended complaint, it appears clear that plaintiff does not wish either of his December 2012
amended complaints to be the operative complaint in this action.