IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH SMITH ARDELL,

Plaintiff, No. 2:12-cv-2488 LKK EFB P

vs.

SACRAMENTO SHERIFF'S DEPARTMENT, et al.,

Defendants. ORDER

_____/

Plaintiff proceeds pro se with this civil action. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1). On November 19, 2012, the court recommended that this action be dismissed for failure to prosecute after plaintiff failed to file an amended complaint in accordance with the court's October 17, 2012 order. On the same day, plaintiff filed an amended complaint.

Accordingly, IT IS HEREBY ORDERED that:

1. The November 19, 2012 findings and recommendations (Dckt. No. 7) are vacated; and

2. In due course, the court will screen the amended complaint pursuant to 28 U.S.C. § 1915(e)(2).

Dated: December 5, 2012.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE