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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENRY A. JONES,

Plaintiff,

v.

P. KUPPINGER, et al.,

Defendants.

No. 2:13-cv-0451 WBS AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S. § 1983. By Order filed on June 27, 2014, defendants’ motion to revoke plaintiff’s in forma pauperis status was granted pursuant to the three-strikes provision of 28 U.S.C. § 1915(g). ECF No. 37 (adopting the May 16, 2014 Findings and Recommendations at ECF No. 34). Plaintiff was therefore required to pay the full filing fee within thirty days to proceed in this action. Id. The case docket demonstrates that plaintiff paid the required filing fee in full even before the June 27 Order issued.

Just prior to the adjudication of defendants’ motion to revoke IFP, plaintiff had filed, on May 5, 2014, a motion for leave to file a second amended complaint and a proposed second amended complaint. ECF Nos. 29, 30. By Order filed on May 16, 2014, defendants’ obligation to respond to the motion to amend was suspended pending resolution of plaintiff’s in forma

1 pauperis status. That matter has now been resolved.

2 Accordingly, IT IS ORDERED that:

- 3 1. Defendants must within thirty days file their response to plaintiff's motion for leave to  
4 file a second amended complaint and proposed second amended complaint, ECF Nos.  
5 29, 30; and
- 6 2. Plaintiff will have thirty days following service of defendants' response to his motion  
7 for leave to amend to file any reply.

8 DATED: July 29, 2014

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10 ALLISON CLAIRE  
11 UNITED STATES MAGISTRATE JUDGE  
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