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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID KING,
Plaintiff,
v.
WANG, et al.,
Defendants.

No. 2:14-cv-1817 KJM DB P

ORDER

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action pursuant to 42 U.S.C. § 1983. On February 26, 2016, defendant Nurse Wang’s motion to dismiss was granted, and plaintiff’s complaint was dismissed with leave to amend. (ECF No. 32.) Plaintiff’s first amended complaint was screened on April 3, 2017, and found to state a claim against Nurse Wang but not against a supervisory defendant named therein. (ECF No. 39.) Plaintiff was then given an option to either proceed on the amended pleading as screened or file a second amended complaint. On April 19, 2017, plaintiff filed a second amended complaint. On review, the undersigned finds that plaintiff has re-asserted the claim against Nurse Wang that was previously found to be viable, and he dismissed his claim against the supervisory defendant.

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Accordingly, IT IS HEREBY ORDERED that defendant Nurse Wang shall file a responsive pleading to the second amended complaint within fourteen days from the date of this order.

Dated: June 7, 2017



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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