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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

KAIAN BRANDON,

No. 2:14-CV-2883-TLN-CMK-P

Plaintiff,

vs.

ORDER

L. WILLIAMS, et al.

Defendants.

_____ /

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. On June 25, 2018, plaintiff filed a motion for summary adjudication (Doc. 31). Defendants filed oppositions to the motion and plaintiff filed his reply. Thereafter, on August 6, 2018, plaintiff filed a request (Doc. 38) seeking leave to file an amended motion for summary adjudication in order to properly address and/or support a fact. No defendant has opposed the motion.¹ Good cause appearing therefore, plaintiff's motion will be granted. See Fed. R. Civ. P. 56(e)(1).

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¹ Defendant Hendricks has requested a ruling on plaintiff's motion and clarification as to whether further briefing will be permitted. See Doc. 47.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Plaintiff's motion for leave to file an amended motion for summary
3 adjudication (Doc. 38) is granted;

4 2. The Clerk of the Court is directed to separately file the proposed amended
5 motion for summary judgment attached to plaintiff's motion at Doc. 38 as an amended motion
6 for summary adjudication filed as of August 6, 2018;

7 3. Plaintiff's original motion for summary adjudication (Doc. 31) is
8 disregarded as superceded by the amended motion and the Clerk of the Court shall terminate
9 Doc. 31 as a pending motion; and

10 4. Defendants may file new oppositions to plaintiff's amended motion within
11 30 days of the date of this order and plaintiff may file his replies within 30 days after service of
12 defendants' opposition briefs.

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14 DATED: August 29, 2018

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17 **CRAIG M. KELLISON**
18 UNITED STATES MAGISTRATE JUDGE
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