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

ANTHONY PAUL MAXWELL,

No. 2:15-CV-0015-CMK-P

Plaintiff,

vs.

ORDER

RYON MITCHELL, et al.,

Defendants.

_____ /

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court are plaintiff’s motion for leave to proceed in forma pauperis (Doc. 17) and plaintiff’s motion for an extension of time (Doc. 18).

Plaintiff, who has already paid the filing fee for this case, requests leave to proceed in forma pauperis and has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). The request to proceed in forma pauperis will, therefore, be granted for purposes of service of process should service be ordered by the court.

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1 Plaintiff also seeks an extension of time to file an amended complaint. Good
2 cause appearing therefor, the request will be granted. Plaintiff's first amended complaint filed on
3 August 26, 2016, is deemed timely and will be addressed by separate order.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. 17) is
6 granted;
- 7 2. Plaintiff's motion for an extension of time (Doc. 18) is granted; and
- 8 3. The first amended complaint filed on August 26, 2016, is deemed timely.

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10 DATED: October 11, 2016

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12 **CRAIG M. KELLISON**
13 UNITED STATES MAGISTRATE JUDGE
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