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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BEN LEE,

Plaintiff,

v.

KEN OWENS,

Defendant.

No. 2:16-cv-0123 JAM AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. By order filed May 26, 2017, plaintiff’s complaint was screened and he was given the option to proceed immediately on his Eighth Amendment claim against defendant Owens or to amend the complaint. ECF No. 6. Plaintiff has now notified the court that he would like to amend the complaint. ECF No. 9.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff shall have thirty days from the service of this order to file an amended complaint as outlined in the May 26, 2017 screening order. If plaintiff fails to file an amended complaint, the case will proceed on the original complaint as screened and the negligence claim against defendant Owens will remain dismissed without prejudice.

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2. The Clerk of the Court is directed to send plaintiff a copy of the prisoner complaint form used in this district.

DATED: June 12, 2017



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE