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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROGER GIFFORD,
Plaintiff,
v.
ROBERT PUCKETT, SR., et al.,
Defendants.

No. 2:16-cv-0955 TLN AC (PS)

ORDER

Plaintiff is proceeding in this action pro se. This proceeding was accordingly referred to the undersigned magistrate judge, for pretrial proceedings, by E.D. Cal. R. (“Local Rule”) 302(c)(21).

Plaintiff initially sought, and was granted, in forma pauperis (“IFP”) status. ECF Nos. 2, 3. IFP status allowed plaintiff to proceed with this lawsuit without prepayment of fees, but also subjected his complaint to “screening.” See 28 U.S.C. § 1915(a)(1), (e)(1). Plaintiff has now paid the filing fee, and requests withdrawal of his IFP status so that he can avoid the screening requirement. See ECF No. 10.


Plaintiff is entitled to withdraw his IFP status. However, there is currently no operative complaint in this case, as the most recent one was dismissed while plaintiff was still proceeding under IFP status. Therefore, in order to proceed with this case, plaintiff must file and serve an amended complaint.

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For good cause shown, IT IS HEREBY ORDERED that:

1. Plaintiff's IFP status is WITHDRAWN;
2. Plaintiff has thirty days from the date of this order to file an amended complaint. The amended complaint shall bear the title "Second Amended Complaint."

DATED: December 5, 2016



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE