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

ANTHONY DAVIS,
Plaintiff,
v.
Z. WHEELER, et al.,
Defendants.

No. 2:16-CV-2917-TLN-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court are: (1) plaintiff’s motion for an extension of time (ECF No. 18); and (2) plaintiff’s motion for leave to file an amended complaint (ECF No. 20).

Plaintiff’s motion for an extension of time will be granted to the extent plaintiff seeks additional time to file a first amended complaint. The first amended complaint filed on March 4, 2019, will be deemed timely.

In his motion for leave to amend, plaintiff appears to seek leave to add N. Romney as a defendant. This request will be denied because N. Romney was named in both the original and first amended complaints.

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1 This action currently proceeds on plaintiff's first amended complaint against
2 defendants Scott Kernan, D. Baughman, Z. Wheeler, and N. Romney, the sufficiency of which
3 will be addressed separately.¹

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's motion for an extension of time (ECF No. 18) is denied;
- 6 2. Plaintiff's motion for leave to amend (ECF No. 20) is denied;
- 7 3. Plaintiff's first amended complaint (ECF No. 19), filed on March 4, 2019,
8 is deemed timely; and
- 9 4. The Clerk of the Court is directed to update the docket to add Scott Kernan
10 and D. Baughman as defendants to this action.

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13 Dated: June 14, 2019



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15 DENNIS M. COTA
16 UNITED STATES MAGISTRATE JUDGE
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¹ The Clerk of the Court will be directed to update the docket to add Scott Kernan and D. Baughman as defendants to this action.