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8	UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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11	TREYMAYNE DEON CARROLL,	No. 2:17-cv-0862 JAM DB P	
12	Plaintiff,		
13	V.	<u>ORDER</u>	
14	SPEARMAN, et al.,		
15	Defendants.		
16			
17	Plaintiff is a state prisoner who was proceeding pro se and in forma pauperis with a civil		
18	rights action under 42 U.S.C. § 1983. Plaintiff claims officials at High Desert State Prison failed		
19	to provide him with safe living conditions in violation of the Americans with Disabilities Act,		
20	used excessive force, and retaliated against him. On April 17, 2019, the District Judge adopted		
21	the undersigned's recommendation that this action be dismissed for failure to file an amended		
22	complaint, judgment was entered, and this case was closed. (ECF Nos. 28, 29.) Presently before		
23	the court is plaintiff's motion for an extension of time to file an amended complaint and request		
24	for the appointment of counsel. (ECF No. 30.) It is not immediately clear from plaintiff's filing		
25	whether he is aware that judgment has been entered in this action. The court will not consider		
26	reopening this action until such time as plaintiff files a proposed amended complaint, along with a		
27	motion to reopen this action or a motion for relief from judgment.		
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1	Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for an extension of time
2	to file an amended complaint and motion to appoint counsel (ECF No. 30) is denied without
3	prejudice.
4	Dated: May 20, 2019
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6	<u>/s/ DEBORAH BARNES</u> UNITED STATES MAGISTRATE JUDGE
7	UNITED STATES MADISTRATE JUDGE
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