

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEONARD BAGSBY,  
  
  Plaintiff,  
  
  v.  
  
ROBERT W. FOX,  
  
  Defendants.

No. 2:18-cv-1744 KJM AC P

ORDER

Plaintiff, a state prisoner proceeding without counsel, has filed this civil rights action pursuant to 42 U.S.C. § 1983. Court records reflect that plaintiff was directed to file a proposed civil rights complaint in another action currently pending in this court, which was originally pled as a petition for writ of habeas corpus. See Bagsby v. Fox, Case No. 2:18-cv-0650 WBS GGH P, ECF No. 9 at 3-6. Good cause appearing, the undersigned construes the complaint filed in the instant case as the proposed civil rights complaint intended for Case No. 2:18-cv-0650 WBS GGH P.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The Clerk of Court is directed to file the complaint in the instant case (ECF No. 1) as the proposed complaint in Bagsby v. Fox, Case No. 2:18-cv-0650 WBS GGH P; the Clerk of Court shall also transfer the motion to proceed in forma pauperis in the instant case (ECF No. 6) to Bagsby v. Fox, Case No. 2:18-cv-0650 WBS GGH P; and

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

2. The Clerk of the Court is directed to close the instant action.

DATED: July 31, 2018

  
\_\_\_\_\_  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE