



1 was filed. 775 F.3d 1182, 1189 (9th Cir. 2015) (holding courts of appeal must examine if a  
2 prisoner “allege[d] the continued existence of imminent danger” at the time of filing an appeal to  
3 qualify for the PLRA three strikes exception). The Ninth Circuit opinion establishing this  
4 timeline for district courts is *Andrews v. Cervantes*, 493 F.3d 1047, 1053 (9th Cir. 2007).

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed June 29, 2022, are adopted in full, with the  
7 one correction noted above;
- 8 2. Plaintiff’s motion to amend the third amended complaint (ECF No. 114) is denied;
- 9 3. To the extent plaintiff moves for an injunction against non-defendant Dr. Aung Nay,  
10 that motion (ECF No. 124) is denied; and
- 11 4. This case is referred back to the assigned magistrate judge for all further pretrial  
12 proceedings.

13 DATED: November 14, 2022.

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16 CHIEF UNITED STATES DISTRICT JUDGE  
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