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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LARRY DONNELL THOMAS,)	No. C 06-00489 JF (PR)
)	
Plaintiff,)	ORDER GRANTING REQUEST TO
)	FILE FIRST AMENDED
vs.)	COMPLAINT; DIRECTING
)	PLAINTIFF TO FILE SUPPLEMENT
J. CELAYA, et al.,)	TO FIRST AMENDED COMPLAINT
)	
Defendants.)	

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Subsequently, Plaintiff filed a first amended complaint. (Docket No. 9.) The Court construes the filing as a request to file a first amended complaint and hereby GRANTS the request. The first amended complaint supersedes the original complaint in its entirety. As such, the first amended complaint fails to include the exhaustion of administrative remedies which is a prerequisite to filing under the Prison Litigation Reform Act of 1995. See 42 U.S.C. § 1997e(a).

Plaintiff must provide this information in the court’s form complaint and submit it as a supplement to the first amended complaint **within twenty (20) days** from the date this order is filed. Plaintiff shall include the caption “Supplement to First Amended

1 Complaint” on the form. After receiving the supplemental information, the Court will
2 perform a preliminary screening of the first amended complaint pursuant to 28 U.S.C. §
3 1915A.

4 Failure to comply with the Court’s order in the time provided may result in a
5 dismissal without prejudice of this action without further notice to Plaintiff.

6 The Clerk of the Court shall include a copy of the court’s form complaint with a copy of
7 this order to Plaintiff.

8 IT IS SO ORDERED.

9 DATED: 10/24/08


JEREMY FOGEL
United States District Judge

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