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E-FILED - 8/17/10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD GARY HALL, JR.,)	No. C 09-0057 RMW (PR)
)	
Plaintiff,)	ORDER VACATING ORDER
)	OF PARTIAL DISMISSAL
v.)	AND SCHEDULING ORDER;
)	GRANTING LEAVE TO FILE
JASMINE A. TEHRANI, et al.,)	SECOND AMENDED
)	COMPLAINT
Defendants.)	
_____)	

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s motion requesting the court grant leave to file a second amended complaint.

On June 29, 2010, the court partially dismissed and served plaintiff’s first amended complaint. In the court’s order, the court denied plaintiff’s request to file a second amended complaint as unnecessary because the court already concluded that plaintiff’s first amended complaint stated a cognizable claim of retaliation. Plaintiff asks the court to reconsider as he has already submitted a second amended complaint and believes there are still deficiencies in his prior complaints.

Upon reconsideration, the court grants plaintiff’s request and VACATES its June 29, 2010 order. The clerk shall file plaintiff’s second amended complaint. The court will conduct a preliminary screening of plaintiff’s second amended complaint in a separate order.

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This order terminates docket no. 75.

IT IS SO ORDERED.

DATED: 8/17/10



RONALD M. WHYTE
United States District Judge