

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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TIMOTHY A. TURNER,

Plaintiff,

v.

MS. ANGUD, et al.,

Defendants.

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Civ. No. 15-5499 (RBK) (KMW)

**MEMORANDUM AND ORDER**

Plaintiff is a federal prisoner currently incarcerated at F.C.I. Fairton, in Fairton, New Jersey. He is proceeding pro se with a civil rights complaint filed pursuant to *Bivens v. Six Unknown Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). Previously, this case was dismissed without prejudice as plaintiff failed to state a claim upon which relief may be granted. Nevertheless, plaintiff was given leave to file an amended complaint and has submitted a proposed amended complaint. (See Dkt. No. 6) Therefore, the Clerk will be ordered to reopen this case.

This Court will permit plaintiff's claims in the proposed amended complaint to proceed past screening under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A against the three defendants named in the amended complaint; specifically: (1) Ms. Angud; (2) Doctor Morales; and (3) S. Cooke.

Accordingly, IT IS this 15th day of October, 2015;

ORDERED that the Clerk shall reopen this case; and it is further

ORDERED that the Clerk shall file plaintiff's "Proposed Amended Complaint" (Dkt. No. 6) as an amended complaint without prepayment of the filing fee; and it is further

ORDERED that the amended complaint shall be permitted to proceed against the three defendants named in the amended complaint; specifically: (1) Ms. Angud; (2) Doctor Morales; and (3) S. Cooke; and it is further

ORDERED pursuant to 28 U.S.C. § 1915(d) that the Clerk shall issue a summons and the U.S. Marshal shall serve the summons and a copy of the amended complaint and this Order on defendants Angud, Morales and Cooke, with all costs of service advanced by the United States; and it is further

ORDERED that defendants Angud, Morales and Cooke shall file and serve a responsive pleading within the time specified by Federal Rule of Civil Procedure 12; and it is further

ORDERED that the Clerk shall serve this order on plaintiff by regular U.S. mail.

s/Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge