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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 ANTHONY PAUL MAXWELL,

No. 2:15-CV-0015-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 RYON MITCHELL, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the court are plaintiff's motion for leave to proceed in forma
19 pauperis (Doc. 17) and plaintiff's motion for an extension of time (Doc. 18).

20 Plaintiff, who has already paid the filing fee for this case, requests leave to
21 proceed in forma pauperis and has submitted a declaration that makes the showing required by 28
22 U.S.C. § 1915(a). The request to proceed in forma pauperis will, therefore, be granted for
23 purposes of service of process should service be ordered by the court.

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1 Plaintiff also seeks an extension of time to file an amended complaint. Good
2 cause appearing therefor, the request will be granted. Plaintiff's first amended complaint filed on
3 August 26, 2016, is deemed timely and will be addressed by separate order.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. 17) is
6 granted;
7 2. Plaintiff's motion for an extension of time (Doc. 18) is granted; and
8 3. The first amended complaint filed on August 26, 2016, is deemed timely.

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10 DATED: October 11, 2016

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12 **CRAIG M. KELLISON**
13 UNITED STATES MAGISTRATE JUDGE
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