

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID ARTHUR DEPONTE,
Plaintiff,
v.
BOWMAN, et al.,
Defendants.

No. 2:24-cv-01262 DJC CSK P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On July 31, 2024, plaintiff filed a motion for leave to file a second amended complaint and a proposed second amended complaint. (ECF Nos. 42, 43.) After reviewing these pleadings, it is clear that plaintiff intended to file these pleadings in an action he is pursuing in the Fresno Division of this court, DePonte v. Stohl, et al., 1:24-cv-00695 KES HBK.¹

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall remove the motion to file a second amended complaint and proposed second amended complaint (ECF Nos. 42, 43) from the docket in the instant action and file these pleadings in 1:24-cv-00695 KES KBK.
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¹ The captions of plaintiff's motion to amend and proposed second amended complaint identify the defendants as Stohl, et al. (ECF Nos. 42 at 1, 43 at 1.) In addition, attached to plaintiff's proposed second amended complaint is a proof of service of an order filed in 1:24-cv-00695 on July 17, 2024 granting plaintiff leave to file an amended complaint. (ECF No. 43 at 8.)

1 Dated: August 9, 2024

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3 CHI SOO KIM
4 UNITED STATES MAGISTRATE JUDGE

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