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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Raymond V. Gutierrez,
Plaintiff,
vs.
Corrections Corp. Of America, et al.,
Defendants.

No. CV 10-0117-PHX-RCB (ECV)

ORDER

Raymond V. Gutierrez and four other inmates confined in the La Palma Corrections Center (LPCC), a Corrections Corporation of America (CCA) facility in Eloy, Arizona, filed a joint *pro se* Civil Rights Complaint by a Prisoner under 28 U.S.C. § 1983, Torrez v. Corrections Corp. of America, No. CV09-2298-PHX-MHM (MHB), doc.# 1.¹ The Court severed that action into separate cases and ordered a copy of the Complaint from CV09-2298 be filed in each of the separate cases. (Doc.# 1, 2.) In an Order filed on May 13, 2010, the Court dismissed the Plaintiff’s Complaint with leave to file an amended complaint within 30 days. (Doc.# 7.) The Court dismissed the Complaint because Plaintiff failed to comply with the Instructions for completing the court-approved form complaint and he included numerous allegations concerning violations of *other* inmates’ rights rather than setting forth facts to support that *his* rights had been violated. (Id.) Plaintiff has filed a motion for a 60-day extension of time to file an amended complaint. (Doc.# 9.) The Court will grant Plaintiff

¹ “Doc.#” refers to the docket number of filings in this case unless otherwise indicated.

1 a 30-day extension.

2 Plaintiff seeks the extension to “research[] the various procedural and legal issues.”
3 (Id. at 3.) The factual basis for any claim Plaintiff intends to include in an amended
4 complaint are presumably already known to Plaintiff and do not depend on legal research.
5 Further, the Court previously informed Plaintiff that he should follow the Instructions for
6 completing the court-approved form complaint. Specifically, in an amended complaint,
7 Plaintiff should state the federal or statutory right that he believes was violated and allege the
8 facts that he believes support that a particular defendant was involved in the violation,
9 including when and how. Plaintiff should repeat the process for each violation he alleges.
10 The Court will grant Plaintiff an additional 30 days within which to do so.

11 **Warnings**

12 **A. Release**

13 Plaintiff must pay the unpaid balance of the filing fee within 120 days of his release.
14 Also, within days of his release, he must either (1) notify the Court that he intends to pay the
15 balance or (2) show good cause, in writing, why he cannot. Failure to comply may result in
16 dismissal of this action.

17 **B. Address Changes**

18 Plaintiff must file and serve a notice of a change of address in accordance with Rule
19 83.3(d) of the Local Rules of Civil Procedure. Plaintiff must not include a motion for other
20 relief with a notice of change of address. Failure to comply may result in dismissal of this
21 action.

22 **C. Copies**

23 Plaintiff must submit an additional copy of every filing for use by the Court. See
24 LRCiv 5.4. Failure to comply may result in the filing being stricken without further notice
25 to Plaintiff.

26 **D. Possible Dismissal**

27 If Plaintiff fails to timely comply with every provision of this Order, including these
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1 warnings, or the May 13, 2010 Order, the Court may dismiss this action without further
2 notice. See Ferdik, 963 F.2d at 1260-61 (a district court may dismiss an action for failure to
3 comply with any order of the Court).

4 **IT IS ORDERED:**

5 (1) Plaintiff's motion for an extension of time is **granted** to the extent stated
6 herein. (Doc.# 9.)

7 (2) Plaintiff is **granted** an additional **30 days** from the filing date of this Order in
8 which to comply with the Court's May 13, 2010 Order, doc.# 7.

9 (3) If Plaintiff fails to file an amended complaint within **30 days** from the filing
10 date of this Order, the Clerk of Court must, without further notice, enter a judgment of
11 dismissal of this action with prejudice.

12 DATED this 15th day of June, 2010.

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17 Robert C. Broomfield
18 Senior United States District Judge
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