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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Tami E. Henry,

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CV 11-01773-PHX-FJM

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Plaintiff,

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ORDER

11

vs.

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Universal Technical Institute; Kimberly
McWaters; Mike White; Adrian Cordova;
Mike Romano; Ken Golaszewski; Maria
Walters; Harvey Davis; Heather Gonzales;
Bernie Candeleria; Markia Baker; Karen
Mourad; Kathy Bochenski; Tom Riggs;
Karen McWaters,

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Defendants.

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19 The court has before it defendants' motion to dismiss (doc. 65), plaintiff's response
20 (doc. 66), and defendants' reply (doc. 67).¹ Plaintiff filed this action in September 2011
21 alleging discrimination, retaliation, and conspiracies arising from plaintiff's studies at
22 Universal Technical Institute.

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23 In an effort to clear up confusion on the docket as to which of plaintiff's multiple
24 filings was the operative pleading, on December 28, 2011 we granted plaintiff's second
25 motion to amend his complaint (doc. 51). We instructed plaintiff to comply with LRCiv

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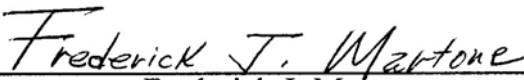
27 ¹The motion is brought by defendants Universal Technical Institute, McWaters, Riggs,
28 Cordova, Romano, Walters, Gonzalez, Candeleria, Baker, Mourad, and Bochenski. They
allege that they are the only defendants who have appeared in this action to date.

1 15.1, and ordered that defendants answer or otherwise respond to the amended complaint
2 within ten days of being served.

3 Defendants now move to dismiss this action in its entirety. They argue that plaintiff
4 failed to comply with our December 28, 2011 order because he neither filed nor served his
5 amended complaint within fourteen days. Plaintiff acknowledges his failure to comply with
6 LRCiv 15.1, but asks for an additional chance. Our order reminded plaintiff that regardless
7 of his *pro se* status, he is bound to follow all federal and local rules of civil procedure. See
8 Ghazali v. Moran, 46 F.3d 52, 54 (9th Cir. 1995). Plaintiff has not done so, which continues
9 to cause both confusion and delay in these proceedings.

10 **IT IS ORDERED GRANTING** defendants' motion to dismiss (doc. 65). This
11 dismissal is without prejudice. Plaintiff shall have fourteen (14) days from the date of this
12 order to file and serve his amended complaint on all parties in compliance with LRCiv 15.1.²
13 Otherwise the Clerk shall enter judgment of dismissal with prejudice.

14 DATED this 8th day of March, 2012.

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18 Frederick J. Martone
19 United States District Judge
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27 ²The proposed amended complaint is attached to plaintiff's motion to amend (doc. 47,
28 ex. 1).