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

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John Russell King,

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No. CV09-8062-PHX-DGC

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Plaintiff,

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ORDER

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vs.

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State of Arizona, et al.,

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Defendants.

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On May 21, 2010 this Court entered an order (Dkt. #18) granting State Defendants' motion to dismiss (Dkt. #10) and allowing Plaintiff to file an amended complaint. The order stated that this matter would be terminated on June 18, 2010 if Plaintiff failed to file an amended complaint by that date. On June 22, 2010, the Clerk terminated this action for Plaintiff's apparent failure to respond to the order (Dkt. #18).

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One June 21, 2010, the Clerk's office received Plaintiff's second amended complaint, (which is dated June 18, 2010 but received by the Clerk's office on June 21, 2010). Because it appears that Plaintiff attempted to comply with the Court's order of May 21, 2010, the Court will permit Plaintiff to amend his complaint and proceed with this case. Plaintiff is once again advised that he must become familiar with, and follow, the Federal Rules of Civil Procedure and the Rules of the United States District Court for the District of Arizona ("Local Rules"), which may be obtained in the Clerk of Court's office. If Plaintiff otherwise fails to comply with the rules or any Court order, the Court may dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). *See Ferdik v. Bonzelet,*

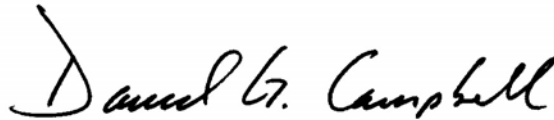
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1 963 F.2d 1258, 1260 (9th Cir.1992) (holding that the district court did not abuse its discretion
2 in dismissing a pro se plaintiff's complaint for failing to comply with a court order).

3 **IT IS ORDERED:**

- 4 1. Directing the Clerk to reopen this matter.
5 2. Directing the Clerk to file Plaintiff's Second Amended Complaint.

6 DATED this 22nd day of June, 2010.

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David G. Campbell
United States District Judge

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