

1 **WO**

2

3

4

5

6

7

IN THE UNITED STATES DISTRICT COURT

8

FOR THE DISTRICT OF ARIZONA

9

DANIEL RAMAGE,

10

Plaintiff,

11

vs.

12

UNITED STATES OF AMERICA, et al.,

13

Defendants.

14

No. CIV 14-2132-TUC-CKJ

ORDER

15

On September 22, 2014, this Court issued an order granting Plaintiff’s Application to Proceed in District Court Without Prepaying Fees or Costs, dismissing with prejudice Plaintiff’s FTCA claim, as set forth in Claim 1 of the Complaint, and dismissing with prejudice Plaintiff’s deliberate indifference claim, as set forth in Claim 2 of the Complaint against Defendants United States, BOP, and Warden FCI Phoenix. The Court also dismissed without prejudice Plaintiff’s deliberate indifference claim, as set forth in Claim 2 of the Complaint, against 1-10 Unknown Defendants. The Court ordered:

22

4. [Plaintiff Daniel Ramage (“Ramage”)] SHALL HAVE thirty (30) days from the date of filing of this Order to file an amended complaint. All causes of action alleged in the original Complaint which are not alleged in any amended complaint will be waived. Any amended complaint filed by Ramage must be retyped or rewritten in its entirety and may not incorporate any part of the original complaint by reference. Any amended complaint submitted by Ramage shall be clearly designated as an amended complaint on the face of the document.

26

5. As an alternative to the deadline for the filing of an amended complaint (if Ramage decides not to file an amended complaint), Ramage shall arrange for service of the original Complaint and a copy of this Order upon Defendant United States within sixty (60) days from the date of filing of this Order. See Fed.R.Civ.P. 4 and 4(i). Failure to timely complete service may result in dismissal of this action.

27

28

1 September 22, 2014 Order, Doc. 4, p. 11. Plaintiff was also advised that if he failed to
2 “timely comply with every provision of [the] Order, this action will be dismissed pursuant
3 to Rule 41(b), Fed.R.Civ.P.” *Id.* at p. 10.

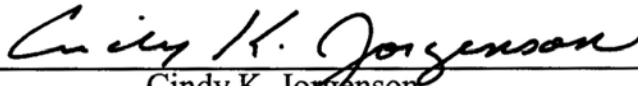
4 As of this date, Plaintiff has filed neither an amended complaint nor a Notice of
5 Service.

6 Accordingly, IT IS ORDERED:

- 7 1. This matter, CV 14-2132-TUC-CKJ, is DISMISSED.
- 8 2. The Clerk of Court shall enter judgment then close its file in this matter.

9 DATED this 8th day of December, 2014.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


Cindy K. Jorgenson
United States District Judge