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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

HERBERT O. ALLEN, JR.,) CV 07-102-R (SH)
) ORDER
Plaintiff,)
v.)
COUNTY OF LOS ANGELES)
SHERIFF'S DEPARTMENT, et. al.,)
Defendants.)

IT IS HEREBY ORDERED that:

1. Plaintiff's deliberate indifference claim against Deputy King based on failure to ensure Plaintiff's safety and deprivation of basic necessities is dismissed without leave to amend.
2. Plaintiff's deliberate indifference to his serious medical needs claim against Deputy King is dismissed with thirty (30) days leave to amend.

- 1 3. Plaintiff’s interference with First Amendment rights claim against
2 Deputy Boettcher is dismissed without leave to amend.
3

4 If plaintiff wishes to pursue this action in this Court, he must file a Second
5 Amended Complaint within the time specified. The amended complaint, bearing
6 the number CV 07-102-R (SH), must be a complete and independent document and
7 must not refer to the original complaint or First Amended Complaint. Plaintiff is
8 cautioned that failure to file a Second Amended Complaint within the time specified
9 by this Order may result in dismissal of the action with prejudice on the grounds
10 stated in the Report and Recommendation of the United States Magistrate Judge
11 and/or for failure to prosecute.

12 In preparing a Second Amended Complaint, plaintiff must bear in mind the
13 deficiencies of the current pleading, and must assure that they are not repeated.
14 Plaintiff must take particular note of the following guidelines:

- 15 1. Plaintiff must set forth the jurisdictional grounds for his claims at the
16 outset of the complaint.
- 17 2. The Second Amended Complaint must include only factual allegations
18 directly relevant to plaintiff's claims, which must be stated in separate,
19 numbered paragraphs (preferably in chronological order), each limited
20 to a single set of circumstances. The facts should be stated in simple,
21 complete sentences. Repetition is to be avoided.
- 22 3. The complaint must clearly identify the specific acts on which each
23 claim is based. Insofar as possible, the allegations should include the
24 date, time, place and circumstances of the offending conduct by each
25 defendant, a clear statement of what each defendant did or failed to do,
26 and the damage of injury suffered by plaintiff as a result of each
27 defendant's conduct.
- 28 4. If civil rights violations are claimed, the complaint must specifically

1 set forth the federal constitutional right or rights infringed with respect
2 to each alleged wrongful act or omission.

3
4 IT IS FURTHER ORDERED that the Clerk shall serve forthwith a copy of
5 this Order on the Plaintiff and counsel for Defendants.

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7 DATED: __October 22, 2008__



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11 MANUEL L. REAL
12 UNITED STATES DISTRICT JUDGE

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