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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JAMES W. BRAMMER,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

CASE NO. 1:07-cv-01350-GBC (PC)

ORDER STRIKING SECOND AMENDED  
COMPLAINT AS INCOMPLETE  
(Doc. 43)

ORDER REQUIRING PLAINTIFF TO RE-FILE  
COMPLETE SECOND AMENDED  
COMPLAINT

/ THIRTY-DAY DEADLINE

James W. Brammer (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. On September 17, 2007, Plaintiff filed his original complaint. (Doc. 1). On May 9, 2008, the Court dismissed Plaintiff’s complaint for failure to comply with Rule 8(a) of the Federal Rules of Civil Procedure and gave leave to amend. (Doc. 16). On July 14, 2008, Plaintiff filed the first amended complaint. (Doc. 20). On October 9, 2009, the Court screened the complaint and dismissed with leave to amend. (Doc. 24). On November 6, 2009; December 24, 2009; February 16, 2010; March 8, 2010; April 8, 2010, May 18, 2010; Plaintiff has motioned for extensions of time on six different occasions and all motions were granted. (Docs. 26, 29, 34, 36, 39, 42). On July 9, 2010, Plaintiff filed the second amended complaint which is incomplete and states there are an additional five pages, however, there appears to be only one page with a final hyphenated word cut off at the end of the page. (Doc. 43). Plaintiff also attaches a letter explaining that his original second amended complaint was lost in the mail stating that another complaint was going to be mailed the next day. (Doc. 43).

1 Since Plaintiff's complaint is incomplete the Court HEREBY ORDERS:

- 2 1. That the second amended complaint be stricken as incomplete (Doc. 43);  
3 2. Plaintiff is to file a complete second amended complaint within **thirty (30) days**  
4 from the date of service of this order;  
5 3. The clerks office is directed to send a copy of Plaintiff's incomplete complaint (Doc.  
6 43) so that he can determine what is needed to complete the complaint.

7 IT IS SO ORDERED.

8 Dated: June 6, 2011

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UNITED STATES MAGISTRATE JUDGE