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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MATTHEW B. CRAMER,	)	1:08-cv-01693-OWW-SMS
	)	
Plaintiff,	)	ORDER GRANTING IN PART
	)	PLAINTIFF'S MOTION FOR AN
v.	)	EXTENSION OF TIME IN WHICH TO
	)	FILE AN AMENDED COMPLAINT (DOCS.
	)	8, 5)
TARGET CORPORATION, et al.,	)	
	)	ORDER DIRECTING THE CLERK TO MAKE
Defendants.	)	A COPY OF PLAINTIFF'S COMPLAINT
	)	AND SEND IT TO PLAINTIFF
	)	

Plaintiff is a state prisoner proceeding pro se with an action for damages and other relief concerning alleged civil rights violations. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b) and Local Rules 72-302 and 72-304.

I. Motion for Extension of Time

Pending before the Court is Plaintiff's motion for a sixty-day extension of time within which to file an amended complaint pursuant to the Court's order of December 9, 2008, dismissing the

1 complaint with leave to amend. In that order the Court explained  
2 the defects perceived in the original complaint and the pertinent  
3 law. The Plaintiff's complaint concerns a single incident  
4 involving Plaintiff's arrest by citizens working at a store from  
5 which Plaintiff had stolen merchandise, and his subsequent  
6 transport to a hospital for treatment by a police officer who  
7 independently investigated the two suspects involved; the facts  
8 are thus not complex. All that is required is for Plaintiff to  
9 state simply and directly the facts that give rise to a claim  
10 upon which relief may be granted; the Court does not need  
11 reports, formal documentation, or any other form of evidence of  
12 Plaintiff's allegations at this stage of the proceedings because  
13 it is the sufficiency of the specific facts alleged by Plaintiff,  
14 and not the weight of the evidence, with which the Court is  
15 concerned at this screening stage of the case.

16 With respect to the legal principles involved in fashioning  
17 an amended complaint, the Court set forth the pertinent law in  
18 the order dismissing the original complaint. Although Plaintiff  
19 claims in a conclusory fashion that the law library is  
20 understaffed, Plaintiff has not set forth specific facts  
21 constituting cause for more than a thirty-day extension of time  
22 within which to file an amended complaint.

## 23 II. Copy of the Complaint

24 Plaintiff requests a copy of his complaint; he alleges that  
25 he sent a spare copy of his original complaint to the Court but  
26 that it has not been returned to him. Plaintiff did not state  
27 that he sent a stamped, self-addressed envelope for mailing the  
28 copy, which is generally required before copies will be sent to

1 parties in the mail. However, in this one instance, and in order  
2 to reduce the delay in receiving Plaintiff's statement of his  
3 claim in an amended complaint, the Court will direct the clerk to  
4 send a copy of the complaint to Plaintiff.

5 Plaintiff is informed that the Court will not permit  
6 repetitive delays, and no further time will be granted without a  
7 showing of specific facts constituting good cause therefor set  
8 forth in a declaration that complies with 28 U.S.C. § 1746.

9 Accordingly, it IS ORDERED that

10 1) Plaintiff's motion for an extension of time within which  
11 to file a first amended complaint IS GRANTED IN PART, and  
12 Plaintiff may file his first amended complaint in compliance with  
13 the Court's order of December 9, 2008, no later than thirty days  
14 after the date of service of this order; and

15 2) The Clerk of the Court IS DIRECTED to make a copy of  
16 Plaintiff's original complaint and to mail it to him with this  
17 order.

18  
19 IT IS SO ORDERED.

20 **Dated: January 8, 2009**

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE