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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY CRAIG HUCKABEE,
Plaintiff,
v.
MEDICAL STAFF AT CSATF, et al.,
Defendants.

Case No. 1:09-cv-00749-DAD-BAM (PC)
**ORDER REQUIRING PLAINTIFF TO FILE
MOTION SEEKING LEAVE TO AMEND
WITHIN THIRTY DAYS OR PROPOSED
SIXTH AMENDED COMPLAINT WILL BE
STRICKEN**
(ECF No. 228)
THIRTY (30) DAY DEADLINE

Plaintiff Anthony Craig Huckabee (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s fifth amended complaint against Defendants Wu, McGuinness, Enenmoh, Jeffreys, and Jimenez in their individual capacities for deliberate indifference to serious medical needs in violation of the Eighth Amendment. (ECF Nos. 195, 199.)

On September 11, 2017, Plaintiff submitted a proposed sixth amended complaint, but it was not accompanied by a motion seeking leave to amend. Fed. R. Civ. P. 7(b), 16(b)(4). Plaintiff is required to file a motion supported by good cause. Fed. R. Civ. P. 16(b)(4); Zivkovic v. S. Cal. Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002).

Accordingly, Plaintiff shall file a motion seeking leave to file an amended complaint within **thirty (30) days** from the date of service of this order. If he fails to do so, his proposed

1 sixth amended complaint, lodged on September 11, 2107, will be stricken from the record.

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3 IT IS SO ORDERED.

4 Dated: September 15, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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