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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL CHAVEZ,
Plaintiff,
v.
JAMES YATES, et al.,
Defendants.

Case No. 1:09-cv-01080-AWI-SKO (PC)
FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL OF
ACTION, WITH PREJUDICE, AS BARRED
BY STATUTE OF LIMITATIONS
(Docs. 53 and 58)
OBJECTIONS DUE WITHIN FIFTEEN
DAYS

Plaintiff Michael Chavez, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 19, 2009. This action is proceeding on Plaintiff's amended complaint, filed on January 25, 2010, against Defendants Ehrman, Igbinsosa, Kushner, Diep, Hayden, Ahlin, Pineda, and Yates for violation of Plaintiff's right to medical care under the Eighth Amendment of the United States Constitution. (Docs. 9, 27, 29.)

On March 6, 2014, the Court granted, in relevant part, Defendants' motion to dismiss Plaintiff's Eighth Amendment claims as barred by the statute of limitations and provided Plaintiff thirty days within which to file a second amended complaint clarifying the bases for his claims against Defendants Ehrman, Igbinsosa, Kushner, Diep, Hayden, Ahlin, Pineda, and Yates. Fed. R. Civ. P. 12(b)(6). (Docs. 48, 53.) On March 24, 2014, the Court granted Plaintiff a sixty-day extension of time. (Doc. 58.) More than sixty days have passed and Plaintiff has not filed a second amended complaint curing the deficiencies in his first amended complaint.

