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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

EDWARD ORTEGA,

Plaintiff,

v.

WARDEN JAMES A. YATES, et al.,

Defendants.

CASE NO. 1:09-cv-01476-AWI-SKO PC

ORDER DISCHARGING ORDER TO SHOW  
CAUSE AND GRANTING EXTENSION OF  
TIME TO FILE AMENDED COMPLAINT

(Doc. 9, 10)

Plaintiff Edward Ortega (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On May 24, 2010, Plaintiff was ordered to show cause why this action should not be dismissed for Plaintiff’s failure to obey a court order. (Doc. #9.) The Court had previously ordered Plaintiff to file an amended complaint and Plaintiff did not file an amended complaint within the thirty (30) day deadline.

Plaintiff responded to the order to show cause on June 18, 2010. Plaintiff explains that he did not file his amended complaint on time because his “legal helper” was busy preparing filings for Plaintiff in other cases and that Plaintiff lacked the reading skills to prepare his amended complaint on his own. Plaintiff also requested a thirty (30) day extension of time to file his amended complaint.

The Court will grant Plaintiff’s request for a thirty (30) day extension and discharge the order to show cause. However, Plaintiff is advised that, in the future, Plaintiff must request extensions of time **before** the relevant deadline passes.

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Accordingly, it is HEREBY ORDERED that:

1. The Court's May 24, 2010 order to show cause is DISCHARGED; and
2. Plaintiff is granted an extension of time of THIRTY (30) DAYS from the date of service of this order to file his amended complaint. IT IS SO ORDERED.

**Dated: June 21, 2010**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE