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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOAQUIN JAY, II,

Plaintiff,

v.

MEDICAL DEPARTMENT OF FRESNO
COUNTY JAIL,

Defendant.

CASE NO. 1:10-cv-00685-GBC (PC)

PLAINTIFF'S MOTION FOR EXTENSION OF
TIME IS GRANTED

(ECF No. 10)

FIRST AMENDED COMPLAINT DUE BY
AUGUST 1, 2011

_____ /

ORDER

Plaintiff Joaquin Jay, II ("Plaintiff") is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff began this action on April 19, 2010. (ECF No. 1.) His original complaint was dismissed with leave to amend on March 11, 2011. (ECF No. 8.) Plaintiff was given thirty days to file an amended complaint. (Id.) Plaintiff did not file anything. On May 20, 2011, the Court issued an Order requiring that Plaintiff either show cause why he failed to comply with the Court's Screening Order or file an amended complaint by June 27, 2011. (ECF No. 9.)

1 Plaintiff filed a Motion to Postpone. (ECF No. 10.) In it, Plaintiff asks for a 180-day
2 extension of time to gather facts, the Court assumes, to complete his amended complaint.

3
4 Plaintiff's original complaint was dismissed in March 2011. He has already had
5 approximately three months to complete and file an amended complaint. The Court will
6 not give him an extension of 180 days. However, because Plaintiff has shown good cause,
7 the Court will give Plaintiff until **August 1, 2011** to file an amended complaint.

8 Accordingly, it is HEREBY ORDERED that:

- 9
- 10 1. Plaintiff is GRANTED one final opportunity to file an Amended Complaint.
 - 11 2. Plaintiff's Amended Complaint is due on or before **August 1, 2011**;
 - 12 3. No further extensions of time shall be granted; and
 - 13 4. Failure to comply with this Order will result in dismissal of this action for
14 failure to prosecute and failure to state a claim upon which relief could be
15 granted.

16
17 IT IS SO ORDERED.

18
19 Dated: June 20, 2011


UNITED STATES MAGISTRATE JUDGE