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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

TIMOTHY S. DAUBERT,

CASE NO. 1:10-cv-01430-AWI-SKO

Plaintiff,

**ORDER GRANTING PLAINTIFF AN
EXTENSION OF TIME TO FILE AN
AMENDED COMPLAINT**

v.

CITY OF LINDSAY,

(Docket No. 1)

Defendant.

_____ /

On August 10, 2010, Plaintiff Timothy S. Daubert ("Plaintiff") filed a complaint against Defendant City of Lindsay ("Defendant") alleging generally that Defendant violated Title II of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act of 1973. (Doc. 1.) On November 22, 2010, the Court issued an order dismissing Plaintiff's complaint and granting him 30 days to file an amended complaint. (Doc. 5.) Plaintiff failed to file an amended complaint within the 30-day period. The Court will provide Plaintiff with a limited extension of time to file an amended complaint. The Court informs Plaintiff that the failure to file an amended complaint will result in a recommendation of dismissal.

Accordingly, IT IS HEREBY ORDERED THAT Plaintiff shall file an amended complaint within 15 days from the date of this order. Plaintiff is cautioned that the failure to file an amended complaint will result in a recommendation of dismissal.

IT IS SO ORDERED.

Dated: January 12, 2011

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE