

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JAIME L. ZEPEDA,  
Plaintiff,  
v.  
T. PETERSON, et al.  
Defendants.

) Case No.: 1:12-cv-01085 - LJO - JLT (PC)  
)  
) ORDER STRIKING THE FIRST AMENDED  
) COMPLAINT FOR FAILURE TO COMPLY WITH  
) THE COURT'S ORDER  
)  
) (Doc. 16)  
)  
)

Plaintiff Jaime L. Zepeda (“Plaintiff”) is a state civil detainee proceeding *pro se* and *in forma pauperis* with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed his original complaint on July 5, 2012. (Doc. 1). On January 18, 2013, the Court dismissed the original complaint and granted Plaintiff leave to amend. (Doc. 13).

The January 18, 2013 order, Plaintiff was advised that Fed. R. Civ. P. 8(a) requires him to provide a “short and plain statement of the claim showing that [he] is entitled to relief.” (Doc. 13 at 2). He was explicitly ordered to limit his first amended complaint to not more than 20 pages, including any exhibits attached thereto. Id. at 18. Plaintiff was also advised that citation to legal authority was unnecessary in the complaint. Id. at 19.

Nevertheless, Plaintiff's first amended complaint (Doc. 16) is more than double the length permitted by the Court's January 18, 2013 order. (Doc. 13). Plaintiff submits a 45-page, first amended

1 complaint. Id. The first amended complaint is replete with legal citations. His complaint need only  
2 state the who, what, when, why and how of his claims; he time for legal analysis and citation to  
3 authority has not arrived. While Plaintiff asserts claims against twenty defendants, his claims are  
4 neither complex nor unique and there is absolutely no reason why Plaintiff cannot comply with Rule 8.

5 **ORDER**

6 Accordingly, Plaintiff's first amended complaint (Doc. 16) is **STRICKEN**. He is granted 21  
7 days leave to file his Second Amended Complaint.

8 Plaintiff's Second Amended Complaint **SHALL NOT EXCEED 20 pages, including**  
9 **attached exhibits.**

10 **Failure to comply with this Order will result in a recommendation dismissing the action.**

11  
12 IT IS SO ORDERED.

13 Dated: April 29, 2013

14 /s/ Jennifer L. Thurston  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
2  
UNITED STATES MAGISTRATE JUDGE