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2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF CALIFORNIA
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7 WILLIE BOLDS,

8 Plaintiff,

9 vs.

10 J. CAVAZOS, et al.,

11 Defendants

Case No. 1:12 cv 01754 GSA PC

ORDER DIRECTING PLAINTIFF TO FILE
AN AMENDED COMPLAINT

AMENDED COMPLAINT
DUE IN THIRTY DAYS

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13 Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights
14 action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to magistrate judge jurisdiction
15 pursuant to 28 U.S.C. § 636(c).

16 On January 10, 2014, an order was entered, dismissing this case in its entirety for failure
17 to state a claim upon which relief could be granted. On March 20, 2015, a memorandum
18 judgment was entered by the U.S. Court of Appeals for the Ninth Circuit, affirming in part and
19 reversing in part the January 10, 2014, order of dismissal. The Ninth Circuit upheld the
20 dismissal of Plaintiff's free exercise claim, unreasonable cell search claim and due process
21 claims regarding the prison grievance process.

22 Regarding Plaintiff's due process claim alleging an improper deprivation of property, the
23 Ninth Circuit held that the claim "was properly dismissed because he presented only conclusory
24 allegations of a deprivation pursuant to 'established state procedures.' . . . However, dismissal
25 of this claim without leave to amend was improper at this early stage in the case because it is not
26 clear that Bolds cannot cure the defect through amendment." Accordingly, the
27 dismissal of that claim was vacated and remanded to allow Plaintiff an opportunity to amend that

