## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

LUIS LORENZO ARMENTERO,	) Case No.: 1:13-cv-00673 – JLT (PC)
Plaintiff, v. N. LOPEZ, et al.,	ORDER GRANTING PLAINTIFF'S SECOND MOTION FOR EXTENSION OF TIME TO FILE HIS FIRST AMENDED COMPLAINT (Doc. 9)
Defendants.	) ) )
	) ) )

Plaintiff Luis Lorenzo Armentero ("Plaintiff") is a state prisoner proceeding *pro se* with a civil rights action pursuant to 42 U.S.C. § 1983. The Court previously granted Plaintiff an additional 21-day period in which to file his first amended complaint. (Doc. 8). At present, Plaintiff submits a letter to the Court entitled "Notice of [D]elay," which the Court now construes as Plaintiff's second motion for extension of time. (Doc. 9).

Plaintiff reports that prison officials placed him in administrative segregation ("Ad. Seg.") on June 20, 2013. <u>Id.</u> at 1. The following day, Plaintiff notified Lt. C. Hays that he needed his legal

<sup>&</sup>lt;sup>1</sup> The Court previously advised Plaintiff that "document[s] requesting a court order must be styled as a motion, not a letter. Fed. R. Civ. P. 7." (Doc. 2). All future filings which are submitted as letters rather than motions will be **STRICKEN** for failure to comply with the Court's order.

documents<sup>2</sup> for the purpose of complying with the Court's order to file his first amended complaint. <u>Id</u>. at 1-2. In addition, Plaintiff indicates that he has informed five other prison officials of the need for his property, but as of June 23, 2013, he has not received his legal documentation. Given the nature of Plaintiff's confinement in the Ad. Seg., it appears that Plaintiff has made every effort to comply with the Court's deadline. Therefore, the Court finds an exceptional showing of good cause to grant an extension of time.

Accordingly, the Court **HEREBY GRANTS** Plaintiff up to and including **August 1, 2013,** in which to file his first amended complaint. **No further extensions of time will be granted for Plaintiff to file his first amended complaint. Plaintiff's failure to file his complaint on or before August 1, 2013, shall result in an immediate dismissal of this matter.** 

 $_{|2}$  IT IS SO ORDERED.

Dated: July 3, 2013 /s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

<sup>&</sup>lt;sup>2</sup> The Court presumes that the term "legal documents" refers to the pleadings in this matter, including the Court's order dated May 24, 2013, which advised Plaintiff of the legal standards required to state his claim. (Doc. 4).