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## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

GORDON C. REID,

Plaintiff,

٧.

UNITED STATES OF AMERICA, et al.,

Defendants.

CASE NO. 1:14-cv-1163-LJO-MJS (PC)

ORDER GRANTING PLAINTIFF'S SECOND MOTION FOR EXTENSION OF TIME (ECF NO. 35); AND

GRANTING PLAINTIFF'S MOTION FOR COPY OF FIRST AMENDED COMPLAINT (ECF NO. 34)

Plaintiff is a federal prisoner proceeding pro se and in forma pauperis in this civil rights and tort action brought pursuant to <u>Bivens v. Six Unknown Named Agents</u>, 403 U.S. 388 (1971) and the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671-2680. On July 28, 2015, the undersigned screened Plaintiff's First Amended Complaint and issued an order directing Plaintiff to either file a second amended complaint or notify the Court of his willingness to proceed only on a cognizable First Amendment claim against Defendant Ontiveroz. (ECF No. 31.)

Plaintiff thereafter filed a motion for extension of time to file a motion for reconsideration of the undersigned's screening order. (ECF No. 35.) Plaintiff sought an extension because he was awaiting receipt of his personal property, including his legal file, following transfer to another institution. Plaintiff's motion was granted on August 31,

2015 (ECF No. 33), and Plaintiff was directed to file a motion for reconsideration on or before September 5, 2015.

Plaintiff has now filed a second motion for extension of time (ECF No. 35), as well as a motion for a copy of his first amended complaint (ECF No. 34). It appears that Plaintiff has received his personal property, but some documents in his legal file, including his copy of the operative pleading in this action, that are necessary to his anticipated motion for reconsideration, are missing.

Good cause appearing, IT IS HEREBY ORDERED that:

- 1. Plaintiff's second motion for extension of time (ECF No. 35) is GRANTED;
- 2. Plaintiff's motion for a copy of the first amended complaint (ECF No. 34) is GRANTED;
- 3. Plaintiff shall file a motion for reconsideration on or before September 25, 2015; and
- 4. The Clerk of Court shall send Plaintiff a copy of his First Amended Complaint (ECF No. 28).

IT IS SO ORDERED.

Dated: September 1, 2015 | Isl Michael J. Seng UNITED STATES MAGISTRATE JUDGE