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## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

SHAWN ANDERSON.

Plaintiff,

CHRIS KRPAN, et al.,

Defendants.

CASE NO. 1:14-cv-1380-MJS (PC)

ORDER VACATING ORDER TO SHOW CAUSE AND GRANTING EXTENSION OF TIME TO FILE AMENDED COMPLAINT

(ECF Nos. 11, 12)

THIRTY (30) DAY DEADLINE

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983.

The Court screened Plaintiff's complaint (ECF No. 1) and dismissed it for failure to state a claim, but gave leave to amend (ECF No. 5.) Plaintiff's first amended complaint was stricken because it was not signed. (ECF No. 9, 10.) Plaintiff was ordered to file a signed amended pleading within thirty days, but failed to do so. (ECF No. 10.) Accordingly, on December 10, 2014, the Court ordered Plaintiff to file an amended pleading or show cause why the action should not be dismissed. (ECF No. 11.) Plaintiff responded to the order to show cause by stating that he had been rehoused in administrative segregation without his legal materials. He requested additional time to file an amended pleading.

Based on the foregoing, it is HEREBY ORDERED that:

1	1. The order to show cause (ECF No. 11), filed December 10, 2014, is
2	discharged;
3	2. Plaintiff shall file a signed, amended pleading within thirty (30) days of the
4	date of service of this order; and
5	3. If Plaintiff fails to file a signed amended pleading in compliance with this
6	order, the undersigned will recommend that the action be dismissed, with
7	prejudice, for failure to state a claim and failure to prosecute, subject to the
8	"three strikes" provision set forth in 28 U.S.C. § 1915(g). Silva v. Di Vittorio,
9	658 F.3d 1090, 1098 (9th Cir. 2011).
10	IT IS SO ORDERED.
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12	Dated: <u>December 31, 2014</u> /s/ <i>Michael J. Seng</i>
13	UNITED STATES MÅGISTRATE JUDGE
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