

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARLOS PANIAGUA,
Plaintiff,
vs.
NORM KRAMER, et al
Defendants.

1:14-cv-01512-AWI-GSA-PC
ORDER EXTENDING TIME TO FILE
FIRST AMENDED COMPLAINT
DEADLINE: JANUARY 6, 2015

Carlos Paniagua (“Plaintiff”) is a civil detainee proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. The Complaint commencing this action was filed by Plaintiff and fifteen co-plaintiffs on June 18, 2014. (Doc. 1.) On September 26, 2014, the court issued an order severing the plaintiffs’ claims, opening nineteen new cases, and ordering Plaintiff and each co-plaintiff to file a First Amended Complaint in his own action within thirty days. (Doc. 41.)

The thirty-day deadline has expired, and Plaintiff has not filed an amended complaint in this case. However, in the interim, Plaintiff and his former co-plaintiffs filed a motion for reconsideration in case 1:14-cv-00939-AWI-GSA-PC, which raised questions about the status of the plaintiffs' cases and whether they would be required to file amended complaints in their own cases.¹ The motion for reconsideration is now resolved, and Plaintiff is required to file a

¹ On November 17, 2014, in case 1:14-cv-00939-AWI-GSA-PC , Plaintiff and the fifteen former co-plaintiffs filed a motion for reconsideration of the court’s orders denying the appointment of counsel and class action certification. (1:14-cv-00939, Doc. 44.) On November 25, 2014, the motion for consideration was denied. (1:14-cv-00939, Doc. 45.)

1 First Amended Complaint in this case, pursuant to the court's order of September 26, 2014. At
2 this juncture, good cause appearing, Plaintiff shall be granted an extension of time in which to
3 file the First Amended Complaint.

4 Accordingly, good cause appearing, IT IS HEREBY ORDERED that:

5 1. Plaintiff is GRANTED an extension of time until January 6, 2015, to file a
6 First Amended Complaint in this action, pursuant to the court's order of
7 September 26, 2014; and
8 2. Plaintiff's failure to comply with the court's order shall result in the dismissal of
9 this case.

10 IT IS SO ORDERED.
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12 Dated: November 26, 2014

13 /s/ Gary S. Austin
14 UNITED STATES MAGISTRATE JUDGE
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