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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

RICHARD B. HALL,	)	Case No.: 1:16-cv-00263-AWI-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER DIRECTING CLERK OF COURT TO
v.	)	SEND PLAINTIFF A COURTESY COPY OF
	)	FIRST AMENDED COMPLAINT AND
SCOTT FRAUENHEIM, et al.,	)	DIRECTING PLAINTIFF TO FILE A SECOND
	)	AMENDED COMPLAINT WITHIN THIRTY
Defendants.	)	DAYS
	)	
	)	[ECF No. 36]

Plaintiff Richard B. Hall is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On March 6, 2017, the Court dismissed Plaintiff’s first amended complaint pursuant to Federal Rule of Civil Procedure 8(a)(2).

Currently before the Court is Plaintiff filed a motion requesting the Court “to strike the declaration and limit the complaint to 25 pages as already lodged-no copies exist[,]” filed March 20, 2017.

Plaintiff submits that he is in a crisis bed hospital setting, without his legal property, and cannot respond to the Court’s March 6, 2017, order. Plaintiff requests that the Court strike all of the exhibits attached to his first amended complaint and consider only the first 25 pages of the amended complaint previously filed with the Court on January 9, 2017. Plaintiff’s request must be denied.

1 As Plaintiff was advised in the Court's March 6, 2017, order, "[w]hile Plaintiff's amended  
2 complaint does not appear lengthy in terms of the number of pages (25 pages excluding exhibits), the  
3 handwritten content of the amended complaint is rambling and disjointed[,]" and the Court could not  
4 determine the exact nature of Plaintiff's claims. (ECF No. 35, Order at 2:27-3:1.) Plaintiff was  
5 advised to file a second amended complaint setting forth "a short and plain statement of the claim  
6 showing that [Plaintiff] is entitled to relief." In light of the Court's March 6, 2017, order, simply  
7 excluding the exhibits from review of the first amended complaint will not and does not cure the  
8 defects identified by the Court. However, based on Plaintiff's allegations in his present motion, the  
9 Court will direct the Clerk of Court to provide Plaintiff a one-time courtesy copy of his first amended  
10 complaint and extend the time to file a second amended complaint in accordance with the Court's  
11 March 6, 2017, order. Accordingly, it is HEREBY ORDERED that:

- 12 1. The Clerk of Court is directed to send Plaintiff a blank amended civil rights complaint  
13 form;
- 14 2. The Clerk of Court shall send Plaintiff a courtesy copy of his first amended complaint,  
15 filed January 9, 2017 (ECF No. 33);
- 16 3. Within thirty (30) days from the date of service of this order, Plaintiff shall file an  
17 amended complaint in accordance with the Court's March 6, 2017, order; and
- 18 4. The failure to comply with this order will result in this action being dismissed for  
19 failure to comply with a court order and failure to comply with the Federal Rules of Civil Procedure.

20  
21 IT IS SO ORDERED.

22 Dated: March 21, 2017



UNITED STATES MAGISTRATE JUDGE