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8	UNITED STATE	S DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA	
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11	CARTHELL DAVID JEYS,	Case No. 1:16-cv-01913-BAM (PC)
12	Plaintiff,	ORDER REGARDING PLAINTIFF'S
13	V.	RESPONSE TO ORDER TO SHOW CAUSE (ECF No. 10)
14	AUDRY KING, et al.,	ORDER DIRECTING PLAINTIFF TO FILE A
15	Defendants.	FIRST AMENDED COMPLAINT WITHIN THIRTY (30) DAYS
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17	Plaintiff Carthell David Jeys ("Plaintiff") is a civil detainee proceeding pro se and in	
18	forma pauperis in this civil rights action. Plaintiff initiated this action on December 23, 2016.	
19	(ECF No. 1.) Plaintiff has consented to magistrate judge jurisdiction. (ECF No. 4.)	
20	On July 5, 2017, the Court issued an order dismissing Plaintiff's complaint with leave to	
21	amend within thirty (30) days. (ECF No. 8.) The Court expressly warned Plaintiff that the failure	
22	to file an amended complaint in compliance with the Court's order would result in this action	
23	being dismissed, with prejudice, for failure to obey a court order and failure to state a claim. (Id.	
24	at 7.) Plaintiff did not file an amended complaint or otherwise respond to the Court's July 5,	
25	2017 order.	
26	On August 14, 2017, the Court ordered Plaintiff to show cause why this action should not	
27	be dismissed for failure to state a claim, failure to obey a court order, and failure to prosecute.	
28	(ECF No. 9.) Plaintiff was directed to file a first amended complaint or respond to the order	
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1	within twenty (20) days. (Id.) The Court's order again warned Plaintiff that failing to timely		
2	respond would result in dismissal of this action, with prejudice. (Id.)		
3	On August 21, 2017, Plaintiff filed a document entitled "Amendant [sic] per Court		
4	Order." (ECF No. 10.) This document, though difficult to understand, appears to indicate that		
5	Plaintiff received the Court's order directing him to file an amended complaint in this action.		
6	Plaintiff then appears to set forth factual allegations related to the allegations pled in the original		
7	complaint. Plaintiff has not used a standard complaint form, does not list any defendants, and		
8	fails to request any form of relief. (Id.)		
9	Plaintiff's filing is not responsive to the Court's order which directed Plaintiff to file a		
10	first amended complaint or to show cause why he has been unable to do so. Therefore, the Court		
11	will not discharge the order to show cause issued on August 14, 2017. The Court will provide		
12	Plaintiff additional time to file a first amended complaint or a response stating why he is unable to		
13	do so.		
14	Accordingly, IT IS HEREBY ORDERED that:		
15	1. The Clerk's Office shall send Plaintiff a complaint form;		
16	2. Within thirty (30) days from the date of service of this order, Plaintiff shall file a first		
17	amended complaint; and		
18	3. If Plaintiff fails to file an amended complaint in compliance with this order, this		
19	action will be dismissed, with prejudice, for failure to obey a court order, failure		
20	to state a claim, and failure to prosecute.		
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22	IT IS SO ORDERED.		
23	Dated: August 28, 2017 /s/ Barbara A. McAuliffe		
24	UNITED STATES MAGISTRATE JUDGE		
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