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

ERIK ARELLANO,	)	Case No.: 1:17-cv-01235 - LJO - JLT
Plaintiff,	)	
v.	)	ORDER WITHDRAWING THE FINDINGS
	)	AND RECOMMENDATIONS DATED
	)	DECEMBER 11, 2017 (Doc. 6)
CHAD HASKINS, et al.,	)	
Defendants.	)	ORDER DIRECTING PLAINTIFF TO FILE AN
	)	AMENDED COMPLAINT WITHIN FOURTEEN
	)	DAYS OF THE DATE OF SERVICE

Previously, the Court recommended the action be dismissed for Plaintiff’s failure to respond to its order and failure to prosecute. (Doc. 6) Plaintiff filed timely objections, in which he requests that the Court “forgive his past lateness,” as he did not learn of the availability of legal assistance until “on day before the due date.” (Doc. 7 at 6) Therefore, he requests “an extension of time so that the legal assistant can further study the issues in this case.” (*Id.*) Accordingly, the Court **ORDERS:**

1. The Findings and Recommendations dated December 11, 2017 (Doc. 6) are **WITHDRAWN**;
2. Plaintiff’s request for an extension of time is **GRANTED**; and
3. Plaintiff **SHALL** file an amended complaint in this action **within fourteen days** of the date of service of this order. The First Amended Complaint **SHALL** clearly identify each of the claims upon which Plaintiff seeks to proceed and contain facts sufficient for the Court to determine whether the action is barred by *Heck v. Humphrey*, 512 U.S.

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477, 486 n.6 (1994).

**Plaintiff is advised that his failure to comply with this order will result in a recommendation that the case be dismissed.**

IT IS SO ORDERED.

Dated: January 2, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE