

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEONARD SHAWN ROBINSON,

Plaintiff,

v.

I. LEYVA, et al.,

Defendants.

Case No. 1:20-cv-01090-DAD-EPG (PC)

ORDER RE: PLAINTIFF’S NOTICE OF
FILING A SECOND AMENDED
COMPLAINT AND NOTICE OF ADDRESS
CHANGE

(ECF No. 20)

ORDER DIRECTING CLERK TO SEND
PLAINTIFF COPY OF ORDER ADOPTING
FINDINGS AND RECOMMENDATIONS
TO DISMISS § 1983 COMPLAINT (ECF
NO. 18) AND JUDGMENT (ECF NO. 19)

Leonard Robinson (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. On March 16, 2021, this case was “DISMISSED, without prejudice, for failure to comply with a court order and Federal Rule of Civil Procedure 8(a).” (ECF No. 18, p. 2).

On April 5, 2021, Plaintiff filed a notice of filing a second amended complaint and a notice of change of address. (ECF No. 20). Plaintiff states that he is giving “notice to the Court ‘of Plaintiff filing a 2nd Amended Complaint.’” (*Id.* at 1). Plaintiff also states that, as of March 22, 2021, he was transferred to Corcoran State Prison.

It is not clear what Plaintiff means when he states that he is giving notice to the Court of filing a second amended complaint. The Court has not received a second amended complaint from Plaintiff. Moreover, even if it had, the Court would not take any action on it because this

1 case has been dismissed. While this case was dismissed without prejudice, if Plaintiff wants to
2 refile his claims he must do so in new action(s).

3 Additionally, as Plaintiff was allegedly transferred less than a week after the Order
4 Adopting Findings and Recommendations to Dismiss § 1983 Case and the Judgment were mailed
5 to him, the Clerk of Court is directed to send Plaintiff a copy of the Order Adopting Findings and
6 Recommendations to Dismiss § 1983 Case (ECF No. 18) and the Judgment (ECF No. 19).

7
8 IT IS SO ORDERED.

9 Dated: April 7, 2021

/s/ Eric P. Gray
10 UNITED STATES MAGISTRATE JUDGE

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28