

1 On February 1, 2011 this Court issued an order granting in
2 part Defendants' Motion to Dismiss Plaintiffs' First Amended
3 Complaint. (ECF No. 23.) Specifically, the order explained that
4 the Motion was granted as to Defendant County of Sacramento on
5 the Third and Fourth Causes of Action; denied as to Defendants
6 Eric Maness, Jamie Lewis, and AnnMarie Boylan on the Third and
7 Fourth Causes of Action; and granted as to all parties on the
8 Fifth Cause of Action. (Id. at 8.) Plaintiff was permitted to
9 amend his complaint within twenty days from February 1, and
10 failed to do so.

11 Upon receiving no amended complaint, the Court issued an
12 order dismissing the entire case without leave to amend. (ECF
13 No. 30.) Plaintiff filed the instant Motion for Reconsideration,
14 explaining that the case should not have been fully dismissed,
15 since the Court's previous order did not grant Defendants' motion
16 in full. (ECF No. 32.) Plaintiff, in this regard, is correct,
17 and the Court prematurely dismissed the complaint in full.

18 As such, Plaintiff's Motion for Reconsideration (ECF No. 32)
19 is GRANTED in part. The Clerk of Court is ordered to re-open the
20 case, and the matter will proceed against all Defendants as to
21 the First, Second, and Sixth Causes of Action and against only
22 Defendants Eric Maness, Jamie Lewis, and AnnMarie Boylan as to
23 the Third and Fourth Causes of Action.

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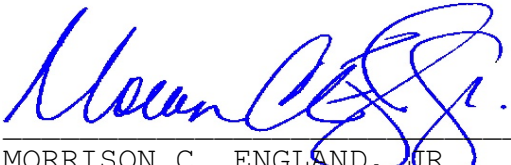
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1 The Fifth Cause of Action is still dismissed as to all parties.
2 Plaintiff's request to file a Second Amended Complaint is DENIED
3 as untimely.

4 IT IS SO ORDERED.

5 Dated: April 21, 2011

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8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE
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