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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JIMMY DUCOTE,

Plaintiff,

No. CIV S-10-1531 EFB P

vs.

STATE OF CALIFORNIA, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a civil detainee proceeding without counsel and in forma pauperis in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff’s consent. See E.D. Cal. Local Rules, Appx. A, at (k)(4).

On March 23, 2011, the court dismissed plaintiff’s complaint for failure to state a cognizable claim and for failure to comply with Rule 8 of the Federal Rules of Civil Procedure. The dismissal order explained the complaint’s deficiencies, gave plaintiff 30 days to file an amended complaint correcting those deficiencies, and warned plaintiff that failure to file an amended complaint would result in this action being dismissed.

After three extensions of time, plaintiff has not filed an amended complaint. In its July 22, 2011 order granting plaintiff a 60-day extension of time to comply with the March 23, 2011

1 order, the court informed plaintiff it did not intend to grant additional requests for extensions of
2 time. Dckt. No. 20. On September 19, 2011, rather than filing an amended complaint, plaintiff
3 requested a fourth extension of time. Dckt. No. 21. Plaintiff has had ample time to comply with
4 the court's March 23, 2011 order and has failed to so comply. Plaintiff was also warned that the
5 court would not grant additional extensions of time. Plaintiff has failed to show why he could
6 not file an amended complaint in the time provided.

7 Accordingly, it is hereby ORDERED that plaintiff's September 19, 2011 request for an
8 extension of time is denied, and this action is dismissed for failure to state a claim and for failure
9 to comply with court orders. 28 U.S.C. § 1915A; E.D. Cal. L.R. 110.

10 Dated: October 17, 2011.

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12 EDMUND F. BRENNAN
13 UNITED STATES MAGISTRATE JUDGE
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