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

OSTON G. OSOTONU,

Plaintiff,

No. CIV S-10-2964 MCE DAD P

vs.

C/O RINGLER, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983.

The court previously dismissed plaintiff’s complaint and granted him leave to file an amended complaint. After granting him several extensions of time, plaintiff complied with the court’s order and filed amended complaint. However, before the court had an opportunity to screen plaintiff’s amended complaint he filed a motion to amend, asking the court for permission to file a second amended complaint to correct certain deficiencies in his amended complaint. Under the circumstances of this case, the court will grant plaintiff’s motion for leave to amend and direct him to file a second amended complaint within thirty days. See Fed. R. Civ. P. 15 (“The court should freely give leave [to amend] when justice so requires.”).

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to amend (Doc. No. 15) is granted;
2. Plaintiff shall file a second amended complaint within thirty days of the date of service of this order. Failure to comply with the court's order or seek an extension of time to do so will result in a recommendation for dismissal of this action.

DATED: March 12, 2012.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:9
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