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

KEITH BRIDGEWATER,

Plaintiff,

No. CIV S-10-2971 GEB DAD P

vs.

MATTHEW CATE et al.,

Defendants.

ORDER

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

On July 19, 2011, the court dismissed plaintiff’s complaint with leave to file an amended complaint. In response to the court’s order, plaintiff has filed a motion seeking a court order directing the California Department of Corrections and Rehabilitation (“CDCR”) to allow him additional time in the prison law library. Plaintiff is advised that this court is unable to issue an order against CDCR or individuals or entities who are not parties to the suit pending before it. See Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100, 112 (1969).

However, in the interest of justice, the court will grant plaintiff an additional thirty days to file an amended complaint. Plaintiff is reminded that Rule 8(a)(2) of the Federal Rules of Civil Procedure “requires only ‘a short and plain statement of the claim showing that the pleader

1 is entitled to relief,' in order to 'give the defendant fair notice of what the . . . claim is and the  
2 grounds upon which it rests.'" Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)  
3 (quoting Conley v. Gibson, 355 U.S. 41, 47 (1957)). In this regard, in any amended complaint  
4 plaintiff elects to file, he should attempt to state briefly who the defendants are in this action,  
5 what constitutional rights he believes each defendant violated, and allege facts indicating why he  
6 believes defendants violated his rights.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Plaintiff's motion for a court order (Doc. No. 10) is denied; and

9 2. Plaintiff is granted thirty days from the date of service of this order to file an  
10 amended complaint that complies with the requirements of the Civil Rights Act, the Federal  
11 Rules of Civil Procedure, and the Local Rules of Practice; the amended complaint must bear the  
12 docket number assigned to this case and must be labeled "Amended Complaint"; failure to file an  
13 amended complaint in accordance with this order will result in a recommendation that this action  
14 be dismissed without prejudice.

15 DATED: October 5, 2011.

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19 DALE A. DROZD  
20 UNITED STATES MAGISTRATE JUDGE

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