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

IVAN KILGORE,

Plaintiff,

No. 2:11-cv-1745 JAM DAD P

vs.

DIRECTOR et al.,

Defendants.

ORDER

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On March 27, 2012, plaintiff filed a request for reconsideration of the magistrate judge’s order filed March 15, 2012, dismissing plaintiff’s complaint with leave to amend.

Pursuant to E.D. Local Rule 303(f), a magistrate judge’s orders shall be upheld unless “clearly erroneous or contrary to law.” Upon review of the entire file, the court finds that it does not appear that the magistrate judge’s ruling was clearly erroneous or contrary to law.

Also pending before the court is plaintiff’s motion for an extension of time to file an amended complaint. Good cause appearing, the court will grant plaintiff’s motion in part.

Therefore, IT IS HEREBY ORDERED that:

1. Plaintiff’s motion for reconsideration (Doc. No. 8) is granted;
2. Upon reconsideration, the order of the magistrate judge filed March 15, 2012,

is affirmed;

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3. Plaintiff's motion for an extension of time (Doc. No. 9) is granted in part; and

4. Plaintiff shall file an amended complaint in accordance with the Magistrate Judge's screening order within forty-five days of the date of this order.

DATED: August 7, 2012

/s/ John A. Mendez  
UNITED STATES DISTRICT COURT JUDGE