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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY ARCEO,
Plaintiff,
v.
SOCORRO SALINAS, et al.,
Defendants.

No. 2:11-cv-2396 MCE KJN P

ORDER

This action proceeds on plaintiff's third amended complaint. Plaintiff has filed a second motion for extension of time to file objections to the findings and recommendations. Plaintiff has demonstrated good cause for a second extension of time, and such request is granted.

That said, the undersigned observes that in the request for second extension plaintiff discusses the standards governing a motion for leave to amend. (ECF No. 84 at 5.) Although plaintiff is correct that the Federal Rules contemplate granting leave to amend more liberally to pro se plaintiffs, plaintiff has already been granted leave to amend on several occasions. On March 18, 2016, the undersigned recommended that plaintiff not be granted further leave to amend. (ECF No. 28 at 29.) Such recommendations were adopted in full. (ECF No. 31.) Despite such order, plaintiff again sought leave to amend. Plaintiff was denied leave to amend by the district court on July 24, 2017. (ECF No. 62.) In the underlying findings and recommendations, the court expressly found that plaintiff failed to meet the standards necessary


1 to warrant amendment in this case filed in 2011. (ECF No. 61 at 11-14.) Moreover, the pretrial
2 motions deadline expired on March 30, 2018. (ECF No. 70.)

3 Therefore, plaintiff is cautioned that although he is granted an extension of time in which
4 to file objections, he is not granted leave to file an amended pleading. Rather, plaintiff is only
5 granted an extension of time to file objections to the January 29, 2019 findings and
6 recommendations addressing defendants' motion for summary judgment. The time for seeking
7 leave to amend in this 2011 case has expired.¹

8 Good cause appearing, IT IS HEREBY ORDERED that:

- 9 1. Plaintiff's second motion for an extension of time (ECF No. 84) is granted; and
10 2. Plaintiff is granted thirty days from the date of this order in which to file objections to
11 the January 29, 2019 findings and recommendations. No further extensions of time will be
12 granted.

13 Dated: March 29, 2019

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15 _____
16 KENDALL J. NEWMAN
17 UNITED STATES MAGISTRATE JUDGE

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27 ¹ Plaintiff is reminded that although the court previously declined to recommend dismissal of this
28 action as a sanction for plaintiff's violation of the court's order (ECF No. 61 at 12), the court has
discretion to impose such terminating sanctions should he continue to violate court orders. Local
Rule 110; Fed. R. Civ. P. 41(b).