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

RUDY AROCHA,

Plaintiff,

No. 2: 11-cv-2959 KJN P

vs.

E. SAUCEDA, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s second amended complaint filed April 16, 2012. (Dkt. No. 21.) For the following reasons, the second amended complaint is dismissed.

On November 7, 2011, plaintiff filed the original complaint. (Dkt. No. 1.) On December 9, 2011, the undersigned dismissed plaintiff’s original complaint with leave to amend. (Dkt. No. 10.) In this order, the undersigned observed that plaintiff’s complaint was 47 pages long. (Id. at 4.) The undersigned ordered that plaintiff’s amended complaint could be no longer than 20 pages. (Id.)

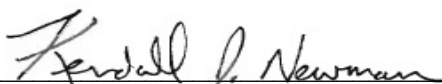
On January 12, 2012, plaintiff filed an 18 page amended complaint. (Dkt. No. 13.) On January 25, 2012, the undersigned issued an order addressing the amended complaint.

1 (Dkt. No. 14.) The undersigned found that plaintiff had stated a colorable claim for violation of
2 the right to privacy against defendants Saucedo, Hart, Miranda and Munoz. (Id. at 10.) The
3 other claims were dismissed with thirty days to file a second amended complaint. (Id.) The
4 January 25, 2012 order stated, “[a]s with the first amended complaint, the undersigned orders that
5 the second amended complaint may be no longer than twenty pages.” (Id. at 10.)

6 On April 16, 2012, plaintiff filed a second amended complaint. (Dkt. No. 21.)
7 The second amended complaint is 42 pages long. Because the second amended complaint
8 exceeds the twenty page limit set in the previous orders, it is dismissed with leave to amend.
9 Plaintiff is granted thirty days to file a third amended complaint that does not exceed twenty
10 pages. If plaintiff does not file a third amended complaint, this action will proceed as to the
11 colorable claims contained in the first amended complaint.

12 Accordingly, IT IS HEREBY ORDERED that plaintiff’s second amended
13 complaint (Dkt. No. 21) is dismissed with leave to file a third amended complaint within thirty
14 days of the date of this order; if plaintiff does not file a third amended complaint, this action will
15 proceed on the colorable claims contained in the first amended complaint.

16 DATED: May 30, 2012

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19 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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