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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BURCH MICHAEL BOWEN,  
Plaintiff,  
v.  
MATTHEW CATE, et al.,  
Defendants.

No. 2:12-cv-1519 MCE AC P

ORDER

By Order filed on June 27, 2013, plaintiff’s limited-appointment counsel was directed to show cause within fourteen days why sanctions should not be imposed on him for failure to comply with a court order. ECF No. 19. Counsel had been granted sixty days to file a second amended complaint but had failed to do so. See Order at ECF No. 17. By his response filed on July 11, 2013, plaintiff’s counsel has set forth the circumstances leading to an inadvertent failure to file a second amended complaint in a timely manner. The court will find counsel for plaintiff has discharged the show cause order and will not impose sanctions at this time.

Plaintiff’s counsel also seeks an additional thirty days to file an amended complaint which the court will grant. Plaintiff pro se’s separate request for appointment of new counsel will be denied.

Accordingly, IT IS HEREBY ORDERED that:

1. The order to show cause, ECF No. 19, is discharged and no sanctions will be imposed

1 at this time;

2 2. Plaintiff's request for a thirty-day extension of time to file a second amended  
3 complaint (ECF No. 21) is granted, and the second amended complaint shall be filed no later than  
4 thirty days from the date of this Order;

5 3. Plaintiff's pro se request for appointment of new counsel (ECF No. 20) is denied.

6 DATED: July 16, 2013

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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE

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