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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JONATHAN HIGGINS,
Plaintiff,
v.
BARNES, et al.,
Defendants.

No. 2:13-cv-275-WBS-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

On May 13, 2013, the court dismissed plaintiff’s original complaint with leave to amend. The dismissal order explained the complaint’s deficiencies, gave plaintiff 30 days to file an amended complaint correcting those deficiencies, and warned plaintiff that failure to file an amended complaint would result in this action being dismissed. The time for acting passed and despite an extension of time, plaintiff failed to file an amended complaint. Accordingly, on July 9, 2013, the undersigned issued findings and recommendations recommending that this action be dismissed. On July 22, 2013, plaintiff filed objections to the findings and recommendations, in which he requests an extension of time to file his amended complaint and complains about lack of access to the law library. Plaintiff will be granted the requested extension of time to file his

1 amended complaint. Plaintiff should note, however, that filing an amended complaint should not
2 require extensive research. To file an amended complaint in accordance with the court's order,
3 plaintiff need only submit a short and plain statement of his claim showing that he is entitled to
4 relief. An amended complaint should not include legal citations and need not contain
5 unnecessarily detailed factual allegations.

6 Accordingly, IT IS HEREBY ORDERED that plaintiff's request contained within his
7 objections (ECF No. 21) is granted to the extent that the July 9, 2013 findings and
8 recommendations are held in abeyance, and plaintiff has 30 days to comply with the court's May
9 13, 2013 order (ECF No. 14). Should plaintiff fail to timely comply, those findings and
10 recommendations will be submitted to the district judge for consideration.

11 Dated: August 14, 2013.

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13 EDMUND F. BRENNAN
14 UNITED STATES MAGISTRATE JUDGE
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