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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE LUIS SEGURA,
Plaintiff,
v.
MICHAEL MCDONALD, et al.,
Defendants.

No. 2:13-cv-0393 AC

ORDER

By order filed January 15, 2014, plaintiff was granted thirty days to file a second amended complaint. Plaintiff, whose motion for leave to amend was unaccompanied by a proposed second amended complaint, represented that the first amended complaint named incorrect defendants. Defendants did not oppose plaintiff's motion, contending that the first amended complaint was defective because it had been signed by someone other than plaintiff. See Fed. R. Civ. P. 11(a); L. R. 131(b). The first amended complaint does indicate that a self-styled jailhouse lawyer purported to sign it on plaintiff's behalf. See ECF No. at 13.

The deadline for filing the second amended complaint has now passed, and plaintiff has not filed a second amended complaint or otherwise responded to the court's order. Accordingly, the court will order plaintiff to show cause within thirty days why his first amended complaint should not be dismissed as defective based on (1) plaintiff's own representation that he may have named the wrong defendants, and (2) failure of the first amended complaint to comply with Rule

1 11(a). Should plaintiff elect to proceed on the first amended complaint, he must inform the court
2 within thirty days that the first amended complaint names the appropriate defendants and he must
3 submit a properly signed copy of his first amended complaint. Should plaintiff fail to comply
4 with this order, the court must strike the first amended complaint pursuant to Fed. R. Civ. P. 11(a)
5 and will recommend dismissal of this action. See Local Rule 110; Fed. R. Civ. P. 41(b).

6 IT IS SO ORDERED.

7 DATED: February 25, 2014

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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