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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADRIAN CIDA,
Plaintiff,
v.
BONNIE LEE, M.D., et al.,
Defendants.

No. 2:13-cv-2289 KJN P

ORDER

Plaintiff has filed his second request for 120 day extension of time to file an amended complaint pursuant to the court’s order of May 12, 2014. On June 26, 2014, plaintiff was granted an additional sixty days in which to file an amended complaint. In his current request, plaintiff states that he has very limited access to the law library at High Desert State Prison (“HDSP”); the law library will not provide printed cases to enable plaintiff to review them in his cell; and that he is awaiting pharmacy records relevant to his case, which he will use as exhibits.

In the May 12, 2014 screening order, plaintiff was informed of the legal standards governing an Eighth Amendment medical claim. (ECF No. 4.) In his amended complaint, plaintiff is not required to argue case law; rather, plaintiff is required to provide specific factual allegations that demonstrate how each named defendant was deliberately indifferent to plaintiff’s serious medical needs. Moreover, plaintiff is not required to provide evidence or exhibits to prove such claims. Rather, plaintiff must provide the facts supporting his claim that the named

1 individual acted, or failed to act, with a culpable state of mind. The amended complaint must
2 allege in specific terms how each named defendant allegedly violated plaintiff's constitutional
3 rights.

4 As plaintiff was previously informed, the court is unable to grant plaintiff an additional
5 four months in which to file an amended complaint. Plaintiff is responsible for diligently
6 prosecuting this case. Therefore, plaintiff's request is partially granted. However, no further
7 extensions of time will be granted. Failure to timely file an amended complaint within sixty days
8 from the date of this order will result in a recommendation that this action be dismissed.

9 IT IS HEREBY ORDERED that:

- 10 1. Plaintiff's request for an extension of time (ECF No. 11) is partially granted; and
- 11 2. Plaintiff is granted sixty days in which to file an amended complaint. No further
12 extensions of time will be granted.

13 Dated: September 15, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE