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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GUSTAVO ALVAREZ,
Plaintiff,
v.
STATE OF CALIFORNIA, et al.,
Defendants.

No. 2:14-cv-1181-KJM-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. He has filed an amended complaint, along with a request for a 120-day extension of time.

Plaintiff timely filed an amended complaint in accordance with the court’s May 7, 2015 and June 10, 2015 orders. ECF Nos. 9, 15, 16. No other court-imposed deadlines were pending when plaintiff requested an extension of time. As there is no deadline to extend, plaintiff’s request for an extension of time is denied as unnecessary. However, the court is unable to read pages four through ten of the amended complaint, as the ink on those pages is so light that the allegations therein cannot be read. Because a substantial portion of the complaint is illegible, the court is unable to discern the precise basis for plaintiff’s claim(s). The court (and defendant) should be able to read and understand plaintiff’s pleading within minutes. *See McHenry v. Renne*, 84 F.3d 1172, 1177 (9th Cir. 1996). Accordingly, the amended complaint is disregarded, and plaintiff will be ordered to submit an amended complaint that can be easily read.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request for an extension of time (ECF No. 17) is denied as unnecessary.
2. Plaintiff's amended complaint (ECF No. 16) is disregarded.
3. Plaintiff shall file an amended (and legible) complaint within 30 days from the date this order is served. Failure to so comply may result in a recommendation of dismissal.

DATED: August 25, 2015.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE