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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONNIE KAY SNEED,  
Plaintiff,  
v.  
HDSP MEDICAL STAFF et al.,  
Defendants.

No. 2:15-cv-0572 TLN KJN P (TEMP)

ORDER

Plaintiff is a state prisoner, proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. On October 20, 2015, then-Magistrate Judge Dale A. Drozd dismissed plaintiff's complaint and granted him thirty days leave to file an amended complaint. Plaintiff has not filed an amended complaint. He has, however, filed a request for court assistance. According to plaintiff, he recently transferred from High Desert State Prison to Folsom State Prison and back to High Desert State Prison, but prison officials have not released all of his legal materials to him.


Under these circumstances, the court will construe plaintiff's request as a request for an extension of time to file his amended complaint. If plaintiff still has not received his legal materials, he is advised that he should pursue an inmate appeal at his institution of incarceration regarding this issue. See Cal. Code Regs. tit. 15, § 3084.1(a) (prisoners may appeal "any policy, decision, action, condition, or omission by the department or its staff that the inmate or parolee can demonstrate as having a material adverse effect upon his or her health, safety, or welfare.").

1 Finally, plaintiff is advised that any amended complaint he elects to file does not need to  
2 include legal citations or legal analysis. Rather, Rule 8(a)(2) of the Federal Rules of Civil  
3 Procedure “requires only ‘a short and plain statement of the claim showing that the pleader is  
4 entitled to relief,’ in order to ‘give the defendant fair notice of what the . . . claim is and the  
5 grounds upon which it rests.’” Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)  
6 (quoting Conley v. Gibson, 355 U.S. 41, 47 (1957)). In this regard, on the form complaint the  
7 court recently provided to plaintiff, plaintiff should simply identify the defendants in this case and  
8 describe with specific factual allegations how each defendant has deprived him of his  
9 constitutional rights.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff’s request for court assistance construed as a request for additional time to file  
12 an amended complaint (Doc. No. 18) is granted; and
- 13 2. Plaintiff shall file an amended complaint within thirty-five days of the date of this  
14 order.

15 Dated: December 3, 2015

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18 KENDALL J. NEWMAN  
19 UNITED STATES MAGISTRATE JUDGE

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