UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DEXTER BROWN,

Plaintiff,

v.

CARMEN GASTELLO, et al.,

Defendants.

No. 2:15-cv-1156-MCE-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On September 8, 2016, the court issued findings and recommendations, which recommended dismissal of this action after plaintiff failed to file an amended complaint in accordance with the court's July 26, 2016 screening order. ECF No. 10.

On October 18, 2016, plaintiff requested a 30-day extension of time to respond to all court orders, explaining that he had been hospitalized and denied access to legal mail. ECF No. 11. On October 24, 2016, the court issued an order which held the findings and recommendations in abeyance and granted plaintiff an additional thirty days within which to comply with the court's July 26, 2016 screening order. ECF No. 13.

On December 29, 2016, plaintiff filed a "notice of appeal with declarations explaining late filing." ECF No. 13. He did not seek an extension of time but explained that he had not been able to comply with the court's order because his legal mail had been confiscated. He added, however, that as of December 18, 2016, he "was able to recover the confiscated mail." *Id.* at 2.

In an abundance of caution, the court will grant plaintiff a final extension of time to comply with the court's July 26, 2016 screening order. The court notes, however, that filing an amended complaint should not require extensive research. An amended complaint should not include legal citations and need not contain unnecessarily detailed factual allegations.

Accordingly, IT IS HEREBY ORDERED that plaintiff has 30 days from the date of this order to comply with the court's July 26, 2016 screening order. Should plaintiff fail to timely comply, the findings and recommendations will be submitted to the district judge for consideration. In an abundance of caution, the Clerk of the Court shall re-serve plaintiff with a copy of the court's July 26, 2016 screening order (ECF No. 7).

DATED: January 30, 2017.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE