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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD PEREIRA,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

No. 2:16-cv-1870 AC P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff has consented to the jurisdiction of the undersigned Magistrate Judge for all purposes pursuant to 28 U.S.C. § 636(c) and Local Rule 305(a). See ECF No. 6.

By order filed September 9, 2016, this court dismissed plaintiff’s original complaint with leave to file a proposed First Amended Complaint (FAC), and provided guidance to plaintiff in drafting cognizable legal claims based on his factual allegations. See ECF No. 7. On September 19, 2016, plaintiff submitted notice to this court that he intended to proceed on a proposed FAC. See ECF No. 10. However, plaintiff did not submit, and has not yet submitted, a proposed FAC.

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1 Plaintiff will be accorded additional time to file a proposed FAC. If plaintiff fails to
2 timely file a FAC, this action will be dismissed without prejudice.

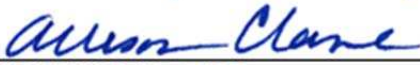
3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Within twenty-one (21) days after service of this order, plaintiff shall file with the
5 court a proposed First Amended Complaint.

6 2. The Clerk of the Court is directed to serve plaintiff, together with a copy of this order,
7 with the following: (1) a copy of the court's order filed September 9, 2016; and (2) a copy of the
8 form complaint used by prisoners in this district to pursue a civil rights action.

9 3. Plaintiff's failure to timely file a proposed First Amended Complaint will result in the
10 dismissal of this action without prejudice.

11 DATED: October 19, 2016

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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