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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE RAYMOND JONES, JR.,  
Plaintiff,  
v.  
CAL-PIA, et al.,  
Defendants.

No. 2:18-cv-0218 KJM CKD P

ORDER

Plaintiff is a state prisoner proceeding pro se and seeking relief pursuant to 42 U.S.C. § 1983. On April 4, 2018, plaintiff’s complaint was dismissed for failure to state a claim with 30 days leave to file an amended complaint. Plaintiff has not filed an amended complaint. Instead, plaintiff asks that this action be stayed until March, 2019 when plaintiff will be released from prison. Plaintiff asserts that after his release he will retain counsel.

At this point, there is no operative complaint before the court and, after reviewing plaintiff’s original complaint a second time, the court is skeptical plaintiff will ultimately be able to state a claim upon which relief can be granted. This being the case, staying this action would mostly likely be futile. Therefore, plaintiff’s motion for a stay will be denied. The court will, however, grant plaintiff 30 additional days within which to attempt to state a claim upon which relief can be granted by filing an attempted complaint which follows the directions given to plaintiff in the court’s April 4, 2018 screening order. If plaintiff is ultimately able to state a claim

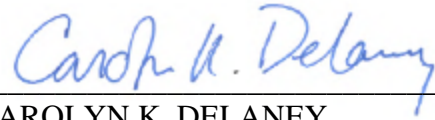
1 upon which relief could be granted in an amended complaint, plaintiff will be free to renew his  
2 motion for a stay.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff's request that this matter be stayed (ECF No. 11) is denied.

5 2. Plaintiff is granted 30 days within which to file an amended complaint. Failure to file  
6 an amended complaint within 30 days may result in a recommendation that this action be  
7 dismissed.

8 Dated: May 16, 2018



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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