

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD VINCENT MAYES,
Plaintiff,
v.
FRASIHER, et al.,
Defendants.

No. 2: 18-cv-2347 TLN KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On March 11, 2019, the undersigned recommended that this action be dismissed based on plaintiff's failure to file an amended complaint. (ECF No. 23.) Plaintiff did not file objections. However, on March 11, 2019, plaintiff filed a motion for injunctive relief. (ECF No. 24.) In this pleading, plaintiff appears to allege that several different circumstances prevented him from filing an amended complaint. (Id.)

The undersigned herein vacates the March 11, 2019 findings and recommendations. Plaintiff is granted one final opportunity to file an amended complaint. If plaintiff does not file an amended complaint within thirty days, the undersigned will recommend dismissal of this action. No further requests for extensions of time to file an amended complaint will be granted.

Accordingly, IT IS HEREBY ORDERED that:

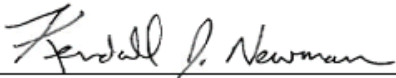
1. The March 11, 2019 findings and recommendations are vacated;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. Plaintiff is granted thirty days from the date of this order to file an amended complaint; failure to file an amended complaint within that time will result in a recommendation of dismissal of this action;

3. The Clerk of the Court is directed to send plaintiff the form for a civil rights complaint by a prisoner.

Dated: April 3, 2019


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

Mayes2347.vac