

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DENNIS LAMAR JAMES, JR.,

No. C 10-4009 SI (pr)

Plaintiff,

ORDER

v.

HAYWARD POLICE DEPARTMENT;
et al.;

Defendants.


Dennis Lamar James, Jr., a parolee, filed this pro se civil rights action under 42 U.S.C. § 1983. The court reviewed the complaint, found several deficiencies in it, and dismissed it with leave to amend. A couple of weeks thereafter, James filed a "motion to file an amended complaint" with miscellaneous documents from his criminal case attached to it. He did not file the required amended complaint and the motion he did file came nowhere near to addressing the deficiencies identified in the original complaint. For example, the amended complaint did not state a claim against any defendant because it had no allegations as to what any individual did or failed to do that caused a violation of James' constitutional rights and did not allege any basis for municipal liability.

It is unclear why James filed the motion to file an amended complaint in light of the court's order that he had to file an amended complaint. However, in light of the possibility that he was waiting for a ruling on his motion to file an amended complaint before filing his amended complaint, the court will give him one last chance to file the required amended complaint. The

1 motion to file an amended complaint is GRANTED. (Docket # 7.) No later than **April 22,**
2 **2011**, plaintiff must file an amended complaint that cures the deficiencies identified in the Order
3 Of Dismissal With Leave To Amend. Failure to file the amended complaint by the deadline will
4 result in the dismissal of this action. Plaintiff also is reminded that he apparently has not, but
5 must, comply with the order to pay the partial filing fee that was imposed in the Order Of
6 Dismissal With Leave To Amend.

7 IT IS SO ORDERED.

8 Dated: March 21, 2011



SUSAN ILLSTON
United States District Judge

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