

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

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROY JOHNSON,

No. C 10-04633 JSW

Plaintiff,

**ORDER**

v.

COUNTY OF MONTEREY,

Defendant.

---

On March 9, 2012, this Court issued an Order granting Defendant's motion to dismiss and granting Plaintiff leave to amend. The Court ORDERED Plaintiff to file his amended complaint by no later than April 27, 2012, and it expressly advised Plaintiff that if he failed to file an amended complaint by that date, the Court would dismiss with prejudice.

On April 9, 2012, the Court received an envelope of materials from Plaintiff. According to the proof of service submitted with those materials, Plaintiff submitted a "due process brief" and "various attachments." The Court only received pages 17 and 18 of the purported brief. The Court ORDERS the Clerk to file those pages and the proof of service in the public record.

The documents submitted as "various attachments" include some of Plaintiff's medical records. The Court HEREBY ORDERS that all of the attachments shall be filed under seal pending further order of the Court.

Because the Court did not receive a complete copy of the "due process brief," the Court cannot construe the documents it did receive as an amended complaint. Accordingly, if Plaintiff wishes the Court to consider this brief, he must submit a complete copy of that document by

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

April 20, 2012.

Pending further order of the Court, Plaintiff still must file his amended complaint by no later than April 27, 2012. Pursuant to the Court's March 9, 2012 Order, any amendment shall be limited to the allegations that the County violated Johnson's right to procedural due process. Johnson must allege facts to show that the County has a custom, policy, or practice with respect to the allegations supporting the alleged violations of his due process rights.

Finally, the Court HEREBY ADVISES Johnson that a Handbook for Pro Se Litigants, which is available through the Court's website or in the Clerk's office, contains helpful information about proceeding without an attorney. The Court also advises Johnson that he also may wish to seek assistance from Federal Legal Assistance Self-Help program. If Johnson chooses to utilize this resource, he should call 408-297-1480 to make an appointment.

**IT IS SO ORDERED.**

Dated: April 11, 2012

  
\_\_\_\_\_  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 ROY JOHNSON,  
6 Plaintiff,

Case Number: CV10-04633 JSW

**CERTIFICATE OF SERVICE**

7 v.


8 COUNTY OF MONTEREY et al,  
9 Defendant.  
10 \_\_\_\_\_/

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
12 District Court, Northern District of California.

13 That on April 11, 2012, I SERVED a true and correct copy(ies) of the attached, by placing  
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by  
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office  
16 delivery receptacle located in the Clerk's office.

17 Roy Johnson  
18 P.O. Box 5371  
19 Corning, CA 96021

20 Dated: April 11, 2012

  
21 Richard W. Wieking, Clerk  
22 By: Jennifer Ottolini, Deputy Clerk  
23  
24  
25  
26  
27  
28