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

KEENAN G. WILKINS,)	No. C 10-2818 LHK (PR)
)	
Plaintiff,)	ORDER GRANTING IN PART MOTION
)	FOR EXTENSION OF TIME TO FILE
v.)	SECOND AMENDED COMPLAINT
)	
GREG AHERN, Sheriff, Alameda County,)	
et al.,)	
)	
Defendants.)	
_____)	(Docket No. 43.)

Plaintiff, proceeding *pro se*, filed an amended complaint pursuant to 42 U.S.C. § 1983 alleging that his constitutional rights were violated when, *inter alia*, as a result of competency proceedings in Alameda County, he was involuntarily committed to a mental hospital. (Docket No. 12.) On April 25, 2011, the court stayed the action pending resolution of the then pending criminal charges against plaintiff in Alameda County because it appeared that plaintiff’s civil claims would, if successful, impugn an anticipated future conviction. *See Wallace v. Kato*, 549 U.S. 384, 393 (2007). Plaintiff was instructed to request that the stay be lifted within thirty days of disposition of the criminal charges against him. (Docket No. 14.) On August 7, 2013, the court lifted the stay based on plaintiff’s request. (Docket No. 31.) On November 7, 2013 the court screened plaintiff’s amended complaint and dismissed the amended complaint with leave to amend within thirty days. (Docket No. 35.)

1 On January 9, 2014, the court granted plaintiff a twenty-eight day extension of time in
2 which to file a second amended complaint. (Docket No. 40.) Plaintiff has now filed another
3 motion requesting additional time in which to file a second amended complaint. (Docket No.
4 43.) Plaintiff states that he was transferred to another institution and that because of his transfer,
5 he did not receive the court's order dated January 9, 2014, until February 13, 2014. (*Id.*) He
6 further states that jail officials are in possession of his legal documents and he requests a ninety-
7 day extension of time to file his second amended complaint or a stay of the proceedings until he
8 obtains his legal documents from jail officials. (*Id.*)

9 A stay of these proceedings is not warranted, however, in the interest of justice, the court
10 will **GRANT IN PART** plaintiff's request for an extension of time file a second amended
11 complaint. Plaintiff shall file a second amended complaint **no later than thirty (30) days** from
12 the date this order is filed. **Further requests for extensions of time will not be favored.**

13 IT IS SO ORDERED.

14 DATED: 2/25/14



LUCY H. KOH
United States District Judge