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

DANNY F. ATTERBURY,)	No. C 11-2387 LHK (PR)
)	
Plaintiff,)	ORDER GRANTING
)	DEFENDANT'S MOTION
v.)	FOR AN EXTENSION OF
)	TIME; DENYING
DENISE DALY,)	PLAINTIFF'S MOTION FOR
)	LEAVE TO FILE A SECOND
Defendant.)	AMENDED COMPLAINT
_____)	

Plaintiff, a former civil detainee at Napa State Hospital (“NSH”), proceeding *pro se*, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983. On July 29, 2011, the Court served the amended complaint upon Defendant Daly.

Defendant has filed a motion for extension of time to file her motion for summary judgment. Defendant’s motion is GRANTED. She shall file her motion for summary judgment no later than **January 25, 2012**. Plaintiff’s opposition shall be filed no later than **thirty days** thereafter. Defendant shall file her reply within **fifteen days** of the filing date of Plaintiff’s opposition.

Plaintiff has filed a “Response to Defendant’s Answer to First Amended Complaint, and Motion to Submit Second Amended Complaint due to Pro Se Status.” (Docket No. 10.) In reviewing the document, however, it appears that what Plaintiff wishes to amend are his requests for relief. To the extent Plaintiff wishes to supplement his amended complaint to include

1 injunctive relief, such a request is GRANTED.

2 To the extent Plaintiff wishes to file an entirely new document, i.e., a second amended
3 complaint, the request is DENIED without prejudice. If Plaintiff wishes to file a second
4 amended complaint, he may move for leave to amend, but must include a proposed second
5 amended complaint. Without a proposed second amended complaint, the Court cannot properly
6 determine whether an amendment is necessary or warranted. Plaintiff is advised that “a plaintiff
7 waives all causes of action alleged in the original complaint which are not alleged in the
8 amended complaint.” See *London v. Coopers & Lybrand*, 644 F.2d 811, 814 (9th Cir. 1981).

9 This order terminates docket numbers 8 and 10.

10 IT IS SO ORDERED.

11 DATED: 11/14/11


LUCY H. KOH
United States District Judge