

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SHIKEB SADDOZAI,  
Plaintiff,  
v.  
M.B. ATCHLEY, et al.,  
Defendants.

Case No. 20-07534 BLF (PR)

**ORDER GRANTING MOTION  
FOR AN EXTENSION  
OF TIME TO FILE A SECOND  
AMENDED COMPLAINT**

(Docket No. 22)

Plaintiff, a state prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against prison staff at Salinas Valley State Prison (“SVSP”), as well as the Director of the California Department of Corrections and Rehabilitation (“CDCR”). Dkt. No. 1. On October 14, 2021, the Court dismissed the amended complaint with leave to file a second amended complaint, to correct the deficiencies. Dkt. No. 21 at 5. Plaintiff was directed to file a second amended complaint within twenty-eight days from the date the order was filed. *Id.* at 5.

Plaintiff has filed a motion for an extension of time to file a second amended complaint due to Covid restrictions, including limited access to the law library, and not having a copy of his amended complaint. Dkt. No. 22.

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Good cause appearing, the final motion is GRANTED. Plaintiff shall file a second amended complaint no later than **thirty (30) days** from the date this order is filed.

The second amended complaint must include the caption and civil case number used in this order, *i.e.*, Case No. 20-07534 BLF (PR), and the words “SECOND AMENDED COMPLAINT” on the first page. Plaintiff must answer all the questions on the form in order for the action to proceed. Plaintiff is reminded that the second amended complaint supersedes the original and amended complaint, and Plaintiff may not make references to the original nor the amended complaint. Claims not included in the complaint and amended complaint are no longer claims and defendants not named in a second amended complaint are no longer defendants. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992).

**Failure to respond in accordance with this order by filing a second amended complaint in the time provided will result in the dismissal of this action without prejudice and without further notice to Plaintiff.**

The Clerk shall send this order along with a copy of Plaintiff’s Amended Complaint, Dkt. No. 20, to Plaintiff.

**IT IS SO ORDERED.**

**Dated: \_\_November 19, 2021\_\_**

  
BETH LABSON FREEMAN  
United States District Judge