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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

VAN J. ROSS,

Plaintiff,

v.

PADRES LP, et al.,

Defendants.

Case No.: 17-CV-1676 JLS (JLB)

**ORDER GRANTING IN PART
MOTION TO AMEND**

(ECF No. 27)

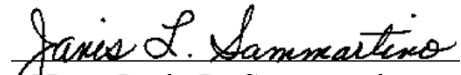
Presently before the Court is Plaintiff Van J. Ross’s Motion to “Reinstate and Amend” Complaint. (ECF No. 27.) The Court’s most recent order granted Defendants’ motion to dismiss and dismissed Plaintiff’s Complaint. (See ECF No. 25.) In the order, the Court allowed Plaintiff to amend his complaint within thirty days from when the order was published. (*Id.* at 15.) Therefore, Plaintiff does not need to request leave to amend his complaint, he just needs to file an amended complaint. The Court cannot “reinstate” his original complaint because it was dismissed.

Because Plaintiff is proceeding *pro se*, his complaint is held to less stringent standards than formal pleadings. See *Garmon v. Cnty. of Los Angeles*, 828 F.3d 837, 846 (9th Cir. 2016) (citations omitted). This is especially true in civil rights cases. See *id.* Accordingly, the Court construes Plaintiff’s filing as a motion for extension of time to file an amended complaint and **GRANTS IN PART** Plaintiff’s Motion to Amend, (ECF No.

1 27). Plaintiff **SHALL FILE** an amended complaint, on or before twenty-one (21) days
2 from the date on which this Order is electronically docketed.

3 **IT IS SO ORDERED.**

4 Dated: August 7, 2018


5 Hon. Janis L. Sammartino
6 United States District Judge

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