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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

KEITH AUSTIN,

Plaintiff,

vs.

STATE OF NEVADA, et al,

Defendants.

Case No. 2:13-cv-00089-GMN-NJK

**SECOND ORDER THAT PLAINTIFF  
MUST FILE AN AMENDED  
COMPLAINT**

13 On June 14, 2013, the Court ORDERED that Plaintiff file an amended complaint no later than July  
14 15, 2013. Docket No. 9. To date, Plaintiff has failed to do so. Although the Court would ordinarily  
15 recommend dismissal of Plaintiff's claims as a result, *see, e.g.*, Docket No. 9 at 2, the Court notes that it  
16 had attached a sample complaint to its previous order that was not actually attached on the docket. As a  
17 result, the Court will provide Plaintiff with one further opportunity to file an amended complaint, which  
18 must comply with the instructions outlined in the Court's previous orders (Docket Nos. 4, 9). To the extent  
19 Plaintiff believes he can state a claim under 42 U.S.C. § 1983, he may use the form that was used for his  
20 initial complaint. To the extent Plaintiff seeks to bring a claim other than one arising under 42 U.S.C. §  
21 1983, he should file a complaint formatted in a manner consistent with the sample complaint attached  
22 hereto. **Plaintiff must file his amended complaint no later than September 15, 2013.** Failure to comply  
23 with this Order will result in the recommended dismissal of this case, without prejudice.

24 IT IS SO ORDERED.

25 Dated: August 16, 2013

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\_\_\_\_\_  
NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE

1 Your Name  
Address  
2 City, State, Zip  
Telephone Number  
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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF NEVADA  
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9 Your Name, ) CASE NUMBER WILL BE ASSIGNED  
 ) AT TIME OF FILING  
10 Plaintiff, )  
 )  
11 vs. )  
 ) COMPLAINT  
12 Defendant. )  
13 )  
14 )

15 Jurisdiction  
16 (Separate Paragraph)  
17

18 Complaint  
19 (Separate Paragraph(s))  
COMPLAINT MUST COMPLY WITH RULE 8(a)  
20 (A copy of Rule 8(a) is attached)  
21

22 Demand  
(Separate Paragraph)  
23  
24

25 Dated: (YOUR SIGNATURE IN INK)  
Your name typed or printed  
26 Address  
Telephone Number  
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