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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
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9 CLIFFORD J. SCHUETT,
10 Plaintiff,
11 v.
12 WARDEN COLLINS et al.,
13 Defendants.
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Case No. 2:14-cv-1645-JAD-CWH

Order

16 **I. DISCUSSION**

17 On December 17, 2014, this Court entered a screening order dismissing Plaintiff's
18 complaint in its entirety for failure to state a claim. (Doc. 24 at 8). The Court granted Plaintiff
19 until January 16, 2015, to file an amended complaint seeking injunctive relief. (*Id.*). The Court
20 also denied Plaintiff's eleven motions for protective orders without prejudice and directed
21 Plaintiff to file one motion for injunctive relief which incorporated those allegations and
22 identified the specific relief sought. (*Id.* at 9). The Court also dismissed Plaintiff's petitions
23 for writ of habeas corpus without prejudice and directed Plaintiff to file his petitions for writ of
24 habeas corpus in a new action. (*Id.*). The Court informed Plaintiff that if he did not file an
25 amended complaint by January 16, 2015, the Court would dismiss the case with prejudice.
26 (*Id.*).
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1 On December 23, 2014, Plaintiff filed a notice of appeal as to this Court's screening
2 order. (Doc. 27). That same day, Plaintiff also filed two petitions for writ of habeas corpus.
3 (Doc. 26, 28).

4 On March 25, 2015, the Ninth Circuit held that "the questions raised in [Plaintiff's]
5 appeal [were] so insubstantial as not to require further argument" and then summarily affirmed
6 this Court's denial of preliminary injunctive relief. (Doc. 37 at 1).

7 The Court now grants Plaintiff 30 days from the date of this order to comply with this
8 Court's December 17, 2014, order. Plaintiff has until April 27, 2015, to file an amended
9 complaint seeking injunctive relief. If he fails to file an amended complaint by April 27, 2015,
10 the Court will dismiss this action with prejudice.

11 Furthermore, pursuant to this Court's screening order, Plaintiff is ordered to not file any
12 more petitions for writ of habeas corpus in this action. Accordingly, the Court dismisses
13 Plaintiff's petitions for writ of habeas corpus (Doc. 26, 28) without prejudice and directs Plaintiff
14 to file his petitions for writ of habeas corpus in a new action if he believes he has a proper legal
15 basis to do so.

16 **II. CONCLUSION**

17 Accordingly, **IT IS ORDERED** that the petitions for writ of habeas corpus (Doc. 26, 28)
18 are dismissed without prejudice. Plaintiff may file a petition for writ of habeas corpus and an
19 *in forma pauperis* application in a new action, but he may not file any further habeas corpus
20 petitions in this case.

21 **IT IS FURTHER ORDERED** that the Clerk of Court shall send plaintiff two copies of an
22 *in forma pauperis* application form for a prisoner, one copy of the instructions for same, two
23 copies of a blank 28 U.S.C. § 2254 habeas corpus form, and one copy of instructions for the
24 same.

25 **IT IS FURTHER ORDERED** that, plaintiff has until April 27, 2015, to file an amended
26 complaint seeking injunctive relief in compliance with the court's instructions in the screening
27 order (Doc. 24 at 6-8). If he fails to file an amended complaint by April 27, 2015, this action
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1 will be dismissed with prejudice.

2 **IT IS FURTHER ORDERED** that the Clerk of Court shall send to Plaintiff the approved
3 form for filing a § 1983 complaint, instructions for the same, a copy of his original complaint
4 (Doc. 25), and a copy of this Court's December 17, 2014 screening order (Doc. 24). If Plaintiff
5 chooses to file an amended complaint, he must use the approved form and he shall write the
6 words "First Amended" above the words "Civil Rights Complaint" in the caption.

7 Dated: March 27, 2015.

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9 
Jennifer Dorsey
United States District Judge