

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JAMES E. BATES,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendants.

Case No. 2:22-cv-00957-CDS-EJY

ORDER

Pending before the Court is Plaintiff’s Motion to Extend Time. ECF No. 42. A review of the docket shows Plaintiff recently relocated to High Desert State Prison. The docket further confirms Plaintiff has not filed an amended complaint, which he was given leave to do in the Court’s July 6, 2023 Report and Recommendation adopted in full by the Court’s January 12, 2024 Order. See ECF Nos. 29, 36. This case cannot move forward, if at all, unless Plaintiff files an amended complaint.

Accordingly, IT IS HEREBY ORDERED that the Motion to Extend Time (ECF No. 42) is GRANTED only to the extent Plaintiff is given through and including **June 14, 2024** to file an amended complaint.

IT IS FURTHER ORDERED that the Clerk of Court **must** send Plaintiff a copy of this Order together with copies of the Court’s Orders at ECF Nos. 29 and 36.

Plaintiff should review the documents provided so that when he drafts an amended complaint he does not reassert claims that were dismissed with prejudice. Plaintiff’s amended complaint should assert claims that were dismissed without prejudice and with leave to amend fixing the deficiencies in his prior pleading. As explained by the Court, Plaintiff must allege clear facts that state the elements of each claims asserted against identified defendants.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS FURTHER ORDERED that Plaintiff's failure to file an amended complaint by or before **June 14, 2024** will result in a recommendation that this matter be dismissed without prejudice in its entirety.

Dated this 9th day of May, 2024.


ELAYNA J. YOUCHAH
UNITED STATES MAGISTRATE JUDGE