UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANTONIO LEE MIXON,

Plaintiff,

v.

NEVADA DEPARTMENT OF CORRECTIONS et al.,

Defendants.

3:17-cv-00146-MMD-VPC

ORDER

I. DISCUSSION

On August 17, 2017, this Court entered a screening order and granted Plaintiff 30 days from the date of that order to file a second amended complaint. (ECF No. 12 at 14-15). On September 18, 2017, this Court granted Plaintiff's motion for a 60-day extension of time to file his second amended complaint. (ECF No. 14 at 1). The Court granted Plaintiff until November 9, 2017 to file his second amended complaint. (*Id.*)

On October 2, 2017, Plaintiff filed a second motion for a 60-day extension of time to file his second amended complaint on or before January 8, 2018. (ECF No. 16 at 1). Plaintiff asserts that he plans to file an amended complaint over 100 pages long. (*Id.* at 2). The Court grants the motion for extension of time to file his second amended complaint on or before January 8, 2018. The Court will not grant any further extensions of time.

II. CONCLUSION

For the foregoing reasons, it is ordered that the motion for extension of time (ECF No. 16) is granted.

It is further ordered that, if Plaintiff chooses to file a second amended complaint curing the deficiencies of his first amended complaint as outlined in the screening order (ECF No.

12), Plaintiff must file the second amended complaint on or before Monday, January 8, 2018.

It is further ordered that, if Plaintiff chooses not to file a second amended complaint curing the stated deficiencies of the first amended complaint, this action will proceed against Defendants Byrne, Doe 2, Diamond, Crowder, Davis, Ashdown, Sunday, Sharp, Dudley, and Doe 3 on Count I (deliberate indifference under the Eighth Amendment based on failure to provide meals) and Defendants Doe 3 and Hasley on Count II (violation of the First Amendment right to access the grievance process) only.[1]

DATED: This 15th day of November 2017.

United States Magistrate Judge

[1] These claims may proceed against Doe 2 and Doe 3 when Plaintiff learns their identities.