

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 WES JOSEPH PERTGEN,

Case No. 3:19-cv-00534-MMD-WGC

4 Plaintiff

ORDER

5 v.

6 ISIDRO BACA, et al.,

7 Defendants

8  
9 **I. DISCUSSION**

10 On September 16, 2020, the Court gave Plaintiff leave to file a first amended  
11 complaint within 30 days. (ECF No. 16.) Plaintiff seeks an extension to file an amended  
12 complaint until November 30, 2020. (ECF No. 18.) The Court grants the motion for an  
13 extension of time. Plaintiff shall file his first amended complaint on or before November  
14 30, 2020. If Plaintiff fails to file a timely first amended complaint, this action will be  
15 dismissed with prejudice for failure to state a claim. (See ECF No. 16 at 4.)

16 Plaintiff also seeks permission to add Defendants and or claims to his first  
17 amended complaint that were not included in his initial complaint. (ECF No. 19.) The  
18 Court grants Plaintiff's request. Plaintiff may add additional Defendants or claims to his  
19 first amended complaint.

20 Finally, Plaintiff requests a copy of the approved form for filing a § 1983 complaint.  
21 (ECF No. 20.) Plaintiff indicates that he tried to use the form that the Court previously  
22 sent him, but he made so many errors that the form is no longer usable. (*Id.* at 2.) The  
23 Court grants Plaintiff's motion and will order the Clerk of the Court to send Plaintiff another  
24 copy of the approved form for filing a § 1983 complaint.

25 **II. CONCLUSION**

26 For the foregoing reasons, it is ordered that Plaintiff's motion for extension of time  
27 to file his first amended complaint (ECF No. 18) is granted. Plaintiff shall file his first  
28 amended complaint on or before November 30, 2020.

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It is further ordered that, if Plaintiff fails to timely file his first amended complaint, this action will be dismissed with prejudice for failure to state a claim.

It is further ordered that Plaintiff's motion to be allowed to add additional claims and Defendants to his first amended complaint (ECF No. 19) is granted.

It is further ordered that Plaintiff's motion for a copy of the approved form for filing a § 1983 complaint (ECF No. 20) is granted. The Clerk of Court will send to Plaintiff the approved form for filing a § 1983 complaint and instructions for the same.

DATED THIS 16th day of October 2020.

William G. Cobb  
UNITED STATES MAGISTRATE JUDGE