

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

CHAD JEREMY ADAMS,

Plaintiff,

v.

HECTOR RIOS JR. et al.,

Defendants.

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Case No. CIV-17-167-D

ORDER

Plaintiff Chad Jeremy Adams commenced this civil action in February 2017 and soon thereafter filed an Amended Complaint. *See* Am. Compl. (Doc. Nos. 1, 6); Doc. No. 11 (documenting Plaintiff’s Amended Complaint as ECF No. 1, ECF No. 1-1, ECF No. 1-2, and ECF No. 6 (pages 7-34)).

The Court advised Plaintiff that his Amended Complaint—which is over 600 pages in length, names approximately 39 persons as defendants, and includes extraneous and repetitive facts—did not provide “a short and plain statement of the claim[s]” being asserted, as required by Federal Rule of Civil Procedure 8(a). *See* Order of Apr. 27, 2017 (Doc. No. 14) at 1-2; Fed. R. Civ. P. 8(a)(2). Thus, the Amended Complaint “fail[s] to give the Defendants fair notice of the basis of the claims against them so they may respond, or allow this [C]ourt to conclude the allegations, if proven, show [Plaintiff] . . . [is] entitled to relief.” *Windsor v. Colo. Dep’t of Corr.*, 9 F. App’x 967, 969 (10th Cir. 2001); *Nasious v. Two Unknown B.I.C.E. Agents*, 492 F.3d 1158, 1163 (10th Cir. 2007)). Accordingly, the Court ordered Plaintiff to file a second amended complaint that conforms to Rule

8(a)(2). *See* Order of Apr. 27, 2017 at 2. Plaintiff was directed to properly use the Court's approved § 1983 Complaint form. Plaintiff was cautioned: "[F]urther failure to comply with Rule 8(a)(2) may result in the Court's dismissal of Plaintiff's claims." *Id.*

In light of Plaintiff's release from custody and other factors, Plaintiff's deadline to submit an amended pleading was extended to July 26, 2017. *See id.* As of this date, however, Plaintiff has submitted no pleading to the Court and has failed to otherwise prosecute his lawsuit or make any further payment toward the \$264.04 balance due on his filing fee.

IT IS THEREFORE ORDERED that Plaintiff shall have one final opportunity to submit a second amended complaint, completed in compliance with the Court's Order of April 27, 2017, to the Clerk of Court for filing. This filing is due no later than August 18, 2017. Plaintiff is advised that failure to comply with this Order may result in dismissal of this action without prejudice.

IT IS SO ORDERED this 4th day of August, 2017.



CHARLES B. GOODWIN
UNITED STATES MAGISTRATE JUDGE