

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

C. EDWARD MOORE,

Plaintiff,

CV-09-793-ST

v.

ORDER

GEORGE AND CAROL LANGLOIS, A/O
TILLAMOOK APARTMENTS, INC.; and CITY
OF TILLAMOOK,

Defendants.

STEWART, Magistrate Judge:

Plaintiff, C. Edward Moore (“Moore”), filed this matter *pro se* on July 10, 2009. On July 13, 2009, this court issued an Opinion and Order dismissing the Complaint for lack of subject matter jurisdiction and ordered Moore to file an amended complaint within 30 days in order to: (1) state a basis for this court’s jurisdiction, whether based on a federal law or constitutional provision or on diversity of citizenship with an amount in controversy greater than \$75,000; (2) set forth one or more specific legally cognizable claims upon which relief may be granted; and (3) specify the relief he seeks for each of his claims.

1 - OPINION AND ORDER

Instead of filing an amended complaint, on July 28, 2009, Moore filed a Motion to File an Amended Complaint (docket # 5). That pleading also includes a Motion to Recuse and attaches a number of pages which appear to be his proposed Amended Complaint.

Since the court ordered Moore to file an amended complaint, he did not need to file a motion to do so. Therefore, his Motion to File an Amended Complaint is DENIED AS MOOT. In order to comply with this court's prior Order, Moore must separately file a document containing the caption of the case with the name of the court, names of the parties, case number, and title "Amended Complaint." That Amended Complaint is due on or before August 21, 2009.

The separate Motion to Recuse will be referred to the Chief District Judge for a ruling.

DATED this 5th day of August, 2009.

s/ Janice M. Stewart

Janice M. Stewart

United States Magistrate Judge