

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LARRY RAFIQ SAMUELS,  
*Plaintiff,*

v.

WARDEN JULIO ALGARIN, et al.  
*Defendants.*

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CIVIL ACTION NO. 17-cv-5679

**ORDER**

AND NOW, this 4<sup>th</sup> day of June, 2018, upon consideration of Plaintiff Larry Rafiq Samuels' ("Samuel") Second Amended Complaint (ECF No. 10) and his Motion for Extension of Time/Full Access of Law Library (ECF No. 9), it is ORDERED that:

1. The Second Amended Complaint is **DISMISSED**, without prejudice, for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), consistent with the reasons stated in the Court's Memorandum.

2. Samuels is given leave to file a third amended complaint within thirty (30) days of the date of this Order. If Samuels files a third amended complaint, he shall name all defendants in the caption and state how each defendant was involved in the violations of his rights. Any third amended complaint must be a complete document that sets forth the basis for Samuels's claims without relying on prior complaints filed in this case. If Samuels files a third amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

3. The Clerk of Court shall provide and **SEND** Samuels a blank copy of the Court's form complaint to be used by a prisoner filing a civil rights action bearing the above case number. Samuels may use this form to file a third amended complaint if he chooses to do so.

4. The Motion for Extension of Time/Full Access of Law Library is **DENIED** without prejudice at this time.

5. If Samuels does not file a third amended complaint, his case may be dismissed for failure to prosecute without further notice.

**BY THE COURT:**

*/s/ Nitza I. Quiñones Alejandro*

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**NITZA I. QUIÑONES ALEJANDRO**  
*United States District Court Judge*