



in support of his contention, which flatly contradicts governing precedent. (See ECF No. 8 at PageID 13-14 (citing 28 U.S.C. § 1915A(b); 28 U.S.C. § 1915(e)(2)(B); *Ashcroft v. Iqbal*, 556 U.S. 662 (2009); *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007); *Adickes v. S.H. Kress & Co.*, 398 U.S. 144 (1970); *Williams v. Curtin*, 631 F.3d 380 (6th Cir. 2011); and *Hill v. Lappin*, 630 F.3d 468 (6th Cir. 2010).))

Nevertheless, because Ayers is appearing *pro se* and because his deadline to amend expired the day before the December 31, 2021 federal New Year's holiday, the Court affords him a reasonable extension to amend his claims. Ayers's motion for extension of time to amend (ECF No. 9) is **GRANTED**. Ayers may file an amended complaint **ON OR BEFORE MONDAY, JANUARY 17, 2022** that complies with the guidelines set forth in the Court's December 16, 2021 order. (See ECF No. 8 at PageID 15-17.) If Ayers fails to amend his complaint in a timely manner, the Court will dismiss this case and enter judgment. The Court recommends that any such dismissal of this case be treated as a strike pursuant to 28 U.S.C. § 1915(g). See *Simons v. Washington*, No. 20-1406, 2021 WL 1727619, at \*1 (6th Cir. May 3, 2021). The Court notifies Ayers that no further extensions of time to amend will be granted.

**IT IS SO ORDERED** this 7<sup>th</sup> day of January, 2022.

*s/John T. Fowlkes, Jr.*  
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JOHN T. FOWLKES, JR.  
UNITED STATES DISTRICT JUDGE