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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

REGINALD EDWARDS,	1:07-cv-00599-GSA-PC
Plaintiff,	ORDER DISMISSING ACTION, WITH
v.	PREJUDICE, FOR FAILURE TO STATE A
IGBINOZA, et al.,	CLAIM UPON WHICH RELIEF MAY BE
Defendants.	GRANTED
	(Doc. 1.)
	ORDER FOR CLERK TO CLOSE CASE

Plaintiff Reginald Edwards (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on April 10, 2007. (Doc. 1.) On May 7, 2007, Plaintiff consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c)(1), and on February 2, 2009, the Court reassigned this action to the undersigned. (Docs. 4, 13.)

On December 12, 2008, the Court dismissed Plaintiff’s complaint for failure to state a claim upon which relief may be granted and ordered Plaintiff to file an amended complaint within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). (Doc.12.) To date, Plaintiff has not complied with or otherwise responded to the Court’s order. As a result, there is no pleading on file which sets forth any claims upon which relief may be granted under section 1983.

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Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), IT IS HEREBY ORDERED that:

1. This action is DISMISSED, with prejudice, based on Plaintiff's failure to state any claims upon which relief may be granted under section 1983; and
2. The Clerk is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: February 3, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE