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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

HAROLD EUGENE DERRY, JR.,

Plaintiff,

v.

CALIFORNIA DEPT. OF
CORRECTIONS AND
REHABILITATION AT
COALINGA STATE HOSPITAL,

Defendant.

CASE NO. 1:08-cv-00692-OWW-GSA PC

ORDER DISMISSING ACTION FOR
FAILURE TO STATE ANY CLAIMS UPON
WHICH RELIEF MAY BE GRANTED

(Docs. 6 and 8)

Plaintiff Harold Eugene Derry, Jr., a civil detainee proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 and California law on May 19, 2008. On December 12, 2008, the Court dismissed Plaintiff’s complaint for failure to state any claims, with leave to file an amended complaint within thirty days. 28 U.S.C. § 1915(e)(2)(B)(ii). On January 5, 2009, the Court granted Plaintiff’s motion for a sixty-day extension of time.

More than sixty days have passed, and 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.

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