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Johnny Renteria, ) No. CV 1-08-00766-JMR  
Plaintiff, ) **ORDER**  
vs. )  
J. Yates, et al., )  
Defendants. )

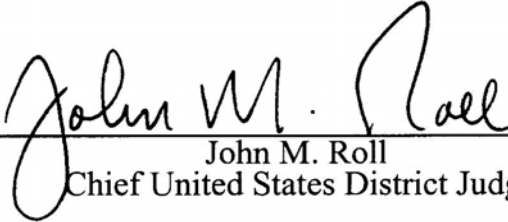
## ORDER

Plaintiff Johnny Renteria, who is confined in the Pleasant Valley State Prison (PVSP) in Coalinga, California, filed a *pro se* complaint in California state court, which the Defendants removed to federal court based on Plaintiff's allegation of federal constitutional violations in his Complaint. (Doc.# 1.) Plaintiff's motion for remand was subsequently denied. (Doc.# 5.) In an Order filed on March 3, 2009, the Court dismissed Plaintiff's federal claims from the Complaint with leave to file an amended complaint in which he could attempt to state a federal claim. (Doc.# 9.) The Order further provided that if Plaintiff failed to file an amended complaint within 30 days, the remaining claims in his Complaint and this action would be remanded to state court. (Id.) Plaintiff has not filed an amended complaint. Accordingly, the Court will order the balance of the Complaint and this action remanded to state court for lack of federal subject matter jurisdiction.

**IT IS ORDERED** that pursuant to the Order filed on March 3, 2009, the Clerk of Court must remand Plaintiff's remaining state law claims in his Complaint and this action

1 to state court pursuant to 28 U.S.C. § 1447(c).

2 DATED this 24<sup>th</sup> day of April, 2009.

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7 John M. Roll  
8 Chief United States District Judge  
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