

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

MATTHEW B. CRAMER,

CASE NO. 1:08-cv-01310-GSA PC

Plaintiff,

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

v.

ARNOLD SCHWARZENEGGER,

(Docs. 1 and 11)

Defendant.

Plaintiff Matthew B. Cramer 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 June 16, 2008. On March 3, 2009, the Court dismissed Plaintiff's complaint for failure to state any claims 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). 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.

Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), this action is HEREBY DISMISSED, with prejudice, based on Plaintiff's failure to state any claims upon which relief may be granted under section 1983.

IT IS SO ORDERED.

Dated: April 24, 2009/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE