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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JOSEPH HOLLIS,

Plaintiff,

v.

JAMES YATES, et al.,

Defendants.

CASE NO. 1:08-cv-01688-GSA PC

ORDER DISMISSING ACTION, WITHOUT  
PREJUDICE, FOR FAILURE TO PROSECUTE

(Doc. 23)

Plaintiff Joseph Hollis, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 26, 2008. On February 6, 2009, the Court screened Plaintiff's amended complaint, and found that it states claims under the Eighth Amendment against Defendants Soares, Bennett, Goethe, Castro, and Yates for failing to protect Plaintiff, but does not state a claim against Defendant Williams. 28 U.S.C. § 1915A. The Court ordered Plaintiff to either file a second amended complaint or notify the Court of his willingness to proceed only on his cognizable claims, within thirty days. (Doc. 16.) On March 17, 2009 and April 23, 2009, the Court granted Plaintiff's motions for a thirty-day extension of time to comply. (Docs. 19, 21.)

On July 6, 2009, after more than thirty days passed and Plaintiff failed to comply with or otherwise responded to the order, the Court ordered him to show cause within thirty days why this action should not be dismissed for failure to prosecute, and warned him that the failure to file a response to the order would result in dismissal of the action. (Doc. 22.) More than thirty days have passed and Plaintiff has not responded to the order to show cause.

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