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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PATRICIA WRIGHT,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendant.

CASE NO. 1:09-cv-00761-GBC PC

ORDER DISMISSING ACTION, WITH
PREJUDICE, FOR FAILURE TO STATE A
CLAIM

ORDER COUNTING DISMISSAL AS A
STRIKE UNDER 28 U.S.C. § 1915(G)

Plaintiff Patricia Wright (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action was filed on April 29, 2009.

On order was issued on December 14, 2010, dismissing the complaint, with leave to file an amended complaint within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). Plaintiff was warned that if she failed to file an amended complaint in compliance with the order, this action would be dismissed, with prejudice, for failure to state any claims.

More than thirty 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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1 Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), this action is
2 HEREBY DISMISSED, with prejudice, based on Plaintiff's failure to state any claims upon which
3 relief may be granted. The Clerk's Office SHALL enter judgment against Plaintiff. This dismissal
4 SHALL count as a strike under 28 U.S.C. § 1915(g).

5 IT IS SO ORDERED.

6 Dated: February 2, 2011

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8 UNITED STATES MAGISTRATE JUDGE