UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDWARD ORTEGA,

Plaintiff,

v.

WARDEN JAMES A. YATES, et al.,

Defendants.

_____/

CASE NO. 1:09-cv-01476-AWI-SKO PC

ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR PLAINTIFF'S FAILURE TO OBEY A COURT ORDER

Plaintiff Edward Ortega ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action. This action was removed to this Court from the Fresno County Superior Court on August 20, 2009. (Doc. #1.) On September 18, 2009, Plaintiff filed a motion opposing removal. (Doc. #5.) On April 1, 2010, the Court ruled on Plaintiff's motion and found that it was unclear whether the Court had jurisdiction over Plaintiff's claims. (Doc. #7.) The Court ordered Plaintiff to file an amended complaint that clearly stated whether Plaintiff's causes of action arise under state law or under federal law. Plaintiff was ordered to file his amended complaint within thirty (30) days of the date of service of the Court's April 1, 2010 order. Plaintiff has not filed his amended complaint.

Accordingly, it is HEREBY ORDERED that Plaintiff SHOW CAUSE within thirty (30) days of the date of service of this order why this action should not be dismissed for Plaintiff's failure to obey the Court's order and for Plaintiff's failure to prosecute this action.

The failure to respond to this order will result in this action being dismissed.

IT IS SO ORDERED.

Dated: May 22, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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