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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NOEL RODRIGUEZ,

1:09-CV-01784-AWI-MJS (PC)

Plaintiff,

ORDER DISCHARGING ORDER TO
SHOW CAUSE

v.

(ECF NO. 27)

ISAAC, et al.,

Defendants.

_____ /

On October 9, 2009, Plaintiff Noel Rodriguez, a state prisoner proceeding pro se and in forma pauperis filed this civil rights action pursuant to 42 U.S.C. § 1983. (Compl., ECF No. 1.)

The Court screened and dismissed the Complaint for failure to state a claim (Order Dismiss Compl., ECF No. 21), and then did the same with regard to the First Amended Complaint on the same ground. (Order Dismiss First Am. Compl., ECF No. 23.)

Plaintiff filed a Second Amended Complaint (Second Am. Compl., ECF No. 24), but prior to its being screened, requested leave of the Court to file a third amended complaint (Mot. Leave File Am. Compl., ECF No. 25). The Court granted this motion on condition that Plaintiff file his third amended complaint by March 30, 2012. (Order Granting Mot.,

1 ECF No. 26.) Plaintiff did not file an amended complaint or request an extension by the
2 March 30, 2012 deadline.

3 The Court, on April 26, 2012 issued an Order to Show Cause requiring that, by not
4 later than May 11, 2012, Plaintiff either file an amended complaint or show cause why his
5 case should not be dismissed for failure to comply with a court order and failure to state
6 a claim. (Order to Show Cause, ECF No. 27.)

7 On May 15, 2012, Plaintiff filed a Response to Order to Show Cause (Resp. to
8 Order to Show Cause, ECF No. 28) and a Third Amended Complaint. (Third Am. Compl.,
9 ECF No. 29.)

10 Accordingly, for good cause shown IT IS HEREBY ORDERED that the April 26,
11 2012 Order to Show Cause (ECF No. 27) is discharged.

12
13 IT IS SO ORDERED.

14 Dated: May 17, 2012

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE