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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JESSE CAMARENA,

Plaintiff,

v.

JOAN DIEP, et al.,

Defendants.

CASE NO. 1:10-cv-00025-GBC (PC)

ORDER DISCHARGING ORDER TO SHOW  
CAUSE

(ECF No. 8)

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**ORDER**

Plaintiff Jesse Camarena ("Plaintiff") is a former 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 January 6, 2010. (ECF No. 1.) Plaintiff consented to Magistrate Judge jurisdiction on February 9, 2010. (ECF No. 5.) The Court screened the Complaint, finding that, on its face, the Complaint demonstrated that Plaintiff had failed to exhaust administrative remedies. In his Complaint Plaintiff stated that he had appealed his grievance to the Director's Level, but that he had not received a response at the time of writing the Complaint. (ECF No. 1 p. 5; Pl.'s Compl. p. 5.) However, the Court cited a letter, attached to Plaintiff's Complaint, from the Office of Third Level Appeals, returning Plaintiff's appeal because he had not complied with appeal procedures. (Id. at p. 23.)

On February 8, 2011, the Court ordered that Plaintiff show cause why this action should not be dismissed for failure to exhaust administrative remedies. (ECF No. 8.) Plaintiff was given thirty days to show cause and was warned that failure to do so would

1 result in dismissal of this action. (Id.) Plaintiff filed his Response to the Order to Show  
2 Cause on April 4, 2011. (ECF No. 9.) Attached to the Response are documents, Plaintiff  
3 states, indicating that he exhausted all available administrative remedies.

4           Accordingly, the Court's Order to Show Cause (ECF No. 8) is now DISCHARGED.  
5 IT IS SO ORDERED.

6 Dated: April 7, 2011

  
UNITED STATES MAGISTRATE JUDGE

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