

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH MATTHEW ORTA,
Plaintiff,
v.
M.E. TAYLOR, et al.,
Defendants.) Case No.: 1:11-cv-00506-SAB (PC)
) ORDER DISMISSING ACTION FOR FAILURE
) TO STATE A CLAIM UPON WHICH RELIEF
) MAY BE GRANTED
) [ECF No. 17]
)
)

Plaintiff Joseph Matthew Orta is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(c), Plaintiff consented to the jurisdiction of the United States Magistrate Judge on April 11, 2011. Local Rule 302.

On September 9, 2013, the undersigned dismissed Plaintiff's first amended complaint for failure to state a claim upon which relief may be granted and ordered Plaintiff to file a second amended complaint within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). To date, 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 under section 1983.

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1 Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), it is HEREBY
2 ORDERED that this action is dismissed, with prejudice, based on Plaintiff's failure to state any claims
3 upon which relief may be granted under section 1983.

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5 IT IS SO ORDERED.

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7 Dated: November 4, 2013


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UNITED STATES MAGISTRATE JUDGE