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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MATTHEW ALAN LAWRIE,

CASE NO. 1:11-cv-00947-BAM PC

Plaintiff,

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

v.

KATHLEEN ALLISON, et al.,

ORDER THAT DISMISSAL IS SUBJECT TO 28
U.S.C. § 1915(G)

Defendants.

Plaintiff Matthew Alan Lawrie (“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 May 25, 2011. On June 24, 2011, Plaintiff filed a form consenting to the jurisdiction of a Magistrate Judge.

An order was issued on December 20, 2011, 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 he 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.

Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), this action is **HEREBY DISMISSED**, with prejudice, based on Plaintiff’s failure to state any claims upon which relief may be granted and all pending motions are terminated. The Clerk’s Office **SHALL** enter judgment against Plaintiff. This dismissal is subject to the “three-strikes” provision set forth in 28

1 U.S.C. § 1915(g). Silva v. Vittorio, No. 08-15620, 2011 WL 4436248, at *4 (9th Cir. Sept. 26,
2 2011).

3 IT IS SO ORDERED.

4 **Dated: February 7, 2012**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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