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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SABRINA LESTER,

CASE NO. 1:11-cv-01070-BAM PC

Plaintiff,

ORDER DISMISSING ACTION FOR
FAILURE TO STATE A CLAIM

v.

MILLER, et al.,

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

Defendants.

_____/

Plaintiff Sabrina Lester 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 June 27, 2011, and on July 8, 2011, Plaintiff consented to the jurisdiction of a Magistrate Judge. On July 26, 2012, an order issued dismissing Plaintiff’s 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 she failed to file an amended complaint in compliance with the order, this action would be dismissed 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** based on Plaintiff’s failure to state any claims upon which relief may be granted. The Clerk’s Office **SHALL** enter judgment against Plaintiff. This dismissal is subject to

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1 the “three-strikes” provision set forth in 28 U.S.C. § 1915(g). Silva v. Vittorio, 658 F.3d 1090,
2 1098-99 (9th Cir. 2011).

3 IT IS SO ORDERED.

4 **Dated: September 13, 2012**

/s/ **Barbara A. McAuliffe**
UNITED STATES MAGISTRATE JUDGE

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