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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVE WILHELM,
Plaintiff,
v.
JEANNIE WOODFORD,
Defendant.

Case No. 1:12-cv-00386-AWI-SAB
FINDINGS AND RECOMMENDATION
RECOMMENDING DISMISSAL OF
ACTION FOR FAILURE TO STATE A
COGNIZABLE CLAIM FOR RELIEF
[ECF No. 16]

Plaintiff Steve Wilhelm is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 10, 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 an 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.

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

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