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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DANIEL TREBAS,)	Case No.: 1:12-cv-00978-SAB (HC)
)	
Plaintiff,)	ORDER DISMISSING ACTION, WITH
)	PREJUDICE, FOR FAILURE TO STATE
v.)	A CLAIM UPON WHICH RELIEF MAY
)	BE GRANTED UNDER SECTION 1983
COUNTY OF FRESNO, et al.,)	
)	[ECF No. 21]
Defendants.)	
)	
)	
)	

Plaintiff Daniel Trebas 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 July 2, 2012. Local Rule 302.

On October 15, 2013, the Court dismissed Plaintiff's second amended complaint for failure to state a claim and ordered Plaintiff to file a third amended complaint within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). 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.

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Accordingly, this action is HEREBY DISMISSED, with prejudice, based on Plaintiff's failure to state a claim upon which relief may be granted under section 1983.

IT IS SO ORDERED.

Dated: December 6, 2013


UNITED STATES MAGISTRATE JUDGE