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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF CALIFORNIA  
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10 ROBERTO HERRERA,

11 Plaintiff,

12 vs.

13 G. ADAME, ET AL.,

14 Defendant

Case No.1:12 cv 01915 GSA PC

ORDER DISMISSING ACTION

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16 Plaintiff is a state prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C.  
17 § 1983. Plaintiff has consented to magistrate judge jurisdiction pursuant to 28 U.S.C. §  
18 636(c)(1).  
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20 By order filed April 3, 2013, the operative complaint was dismissed for failure to state a  
21 claim. Plaintiff was granted leave to file an amended complaint, and directed to do so within  
22 thirty days. On May 2, 2013, Plaintiff was granted a thirty day extension of time. Plaintiff has  
23 not filed an amended complaint.

24 In the April 3, 2013, order the Court informed Plaintiff of the deficiencies in his  
25 complaint, and dismissed the complaint on the ground that Plaintiff had failed to state a claim  
26 upon which relief could be granted. Because Plaintiff has not filed an amended complaint, the  
27 Court dismisses the claims made in the original complaint with prejudice for failure to state a  
28 federal claim upon which the court could grant relief. See Noll v. Carlson, 809 F. 2d 1446, 1448

