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

MATTHEW ALAN LAWRIE,  
Plaintiff,  
v.  
STATE OF CALIFORNIA, et al.,  
Defendants.

Case No. 1:13-cv-00443-SKO PC

ORDER DISMISSING ACTION, WITH  
PREJUDICE, FOR FAILURE TO STATE  
A CLAIM UPON WHICH RELIEF MAY  
BE GRANTED UNDER SECTION 1983

(Docs. 1 and 6)

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

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Plaintiff Matthew Alan Lawrie, a state prisoner proceeding pro se and in forma pauperis,  
filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 27, 2013.

On October 29, 2013, the Court dismissed Plaintiff's complaint for failure to state a claim  
under section 1983 and ordered that Plaintiff file an amended complaint within thirty (30) days.  
28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). More than thirty (30) 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 a claim upon which

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1 relief may be granted under section 1983. This dismissal is subject to the “three-strikes” provision  
2 set forth in 28 U.S.C. § 1915(g). *Silva v. Di Vittorio*, 658 F.3d 1090, 1098-99 (9th Cir. 2011).

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IT IS SO ORDERED.

Dated: January 10, 2014

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE