

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH RAYMOND McCOY,

Plaintiff,

vs.

J. CLARK KELSO, Receiver, *et al.*,

Defendants.

Case No. 1:14-cv-00518-RRB

DISMISSAL ORDER

Joseph Raymond McCoy, a state prisoner appearing *pro se* and *in forma pauperis*, filed a Complaint under 42 U.S.C. § 1983 against several officials of the California Department of Corrections and Rehabilitation. The record in this case reveals that on March 9, 2015, the Court entered its Order to Show Cause why this action should not be dismissed as duplicative of *McCoy v. Gonzales, et. al.*, 1:12-cv-00983-AWI-DLB.¹ Upon the motion of McCoy the Court extended the time within which to respond to the Order to Show Cause through and including May 29, 2015.² To date McCoy has neither responded to the Order to Show Cause nor requested additional time within which to so do.

Accordingly, the Complaint in this matter is **DISMISSED** for failure to prosecute.³

IT IS SO ORDERED this 9th day of July, 2015.

S/ RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE

¹ Docket 13.

² Docket 15.

³ Fed. R. Civ. P. 41(b); see *Hells Canyon Preservation Council v. U. S. Forest Serv.* 403 F.3d 683, 689 (9th Cir. 2005).