1 2 3 4 5 **UNITED STATES DISTRICT COURT** 6 EASTERN DISTRICT OF CALIFORNIA 7 8 9 1:14-cv-00805-BAM (PC) KENNETH ARDELL SMITH, 10 Plaintiff, ORDER DISMISSING ACTION FOR FAILURE TO OBEY A COURT ORDER 11 v. AND FAILURE TO STATE A CLAIM 12 CDC CORCORAN STATE PRISON, (ECF No. 11) 13 Defendant. 14 15 16 17 Plaintiff Kenneth Ardell Smith ("Plaintiff") is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action. Plaintiff initiated this action on May 27, 2014. 18 19 Plaintiff consented to the jurisdiction of the Magistrate Judge. (ECF No. 5.) 20 On January 14, 2015, the Court dismissed Plaintiff's complaint with leave to amend 21 within thirty days after service. 28 U.S.C. § 1915A. Plaintiff was warned that if he failed to file 22 an amended complaint in compliance with the order, this action would be dismissed for failure to 23 obey a court order and failure to state a claim. 24 The deadline for Plaintiff to file his amended complaint has passed and Plaintiff has not 25 complied with or otherwise responded to the Court's order. As a result, there is no pleading on 26 file which sets forth any claims upon which relief may be granted. 27 /// 28

Accordingly, pursuant to 28 U.S.C. § 1915A, this action is HEREBY DISMISSED based on Plaintiff's failure to state any claims upon which relief may be granted and for failure to obey a court order. All pending motions, if any, are terminated. IT IS SO ORDERED. /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE Dated: March 2, 2015