

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AARON WALLACE,
Plaintiff,
v.
DONALD SPECTER, et al.,
Defendants.
Case No.: 1:14-cv-01293-SAB (PC)
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)
ORDER DISMISSING ACTION FOR FAILURE
TO STATE A COGNIZABLE CLAIM UPON
WHICH RELIEF MAY BE GRANTED
)
[ECF No. 7]
)
)

Plaintiff Aaron Wallace 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 September 10, 2014. Local Rule 302.

On December 3, 2014, Plaintiff's complaint was dismissed with leave to amend for failure to state a cognizable claim for relief, and an amended complaint was due within thirty days. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e). Plaintiff has failed to file an amended complaint or otherwise respond 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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1 Accordingly, pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), this action is HEREBY
2 DISMISSED, with prejudice, based on Plaintiff's failure to state a claim upon which relief may be
3 granted under section 1983. This dismissal is subject to the "three-strikes" provision set forth in 28
4 U.S.C. § 1915(g). Silva v. Di Vittorio, 658 F.3d 1090, 1098-99 (9th Cir. 2011).

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7 IT IS SO ORDERED.

8 Dated: January 20, 2015



UNITED STATES MAGISTRATE JUDGE