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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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10 TYREE HICKS,

11 Plaintiff,

12 vs.

13 J. LOPEZ,

14 Defendant

Case No.1:14 cv 01764 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).¹
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20 This action was initiated by twenty Plaintiffs as a proposed class action. By order filed
21 November 21, 2014, each Plaintiff, including Plaintiff Hicks, was ordered to file an amended
22 complaint bearing his own case number within thirty days. The Court specifically directed that
23 Plaintiff Hicks is to proceed as the sole Plaintiff under this case number, and was ordered to file
24 an amended complaint under this case number within thirty days. On December 1, 2014, the
25 order was returned to the Court as undeliverable. On December 12, 2014, Plaintiff filed a
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27 ¹ Plaintiff filed a consent to proceed before a magistrate judge on December 12, 2014 (ECF No.
28 10).

1 consent to proceed before a magistrate judge. The consent form indicated that Plaintiff had been
2 transferred to the Sierra Conservation Center. On December 31, 2014, the November 21, 2014,
3 order was re-served on Plaintiff at the Sierra Conservation Center. To date, Plaintiff has not filed
4 an amended complaint, or otherwise responded to the order directing him to file an amended
5 complaint. The order specifically cautioned Plaintiff that his failure to file an amended
6 complaint could result in dismissal of this action for his failure to do so.

7 Because Plaintiff has not filed an amended complaint in compliance with the order of
8 November 21, 2014, IT IS HEREBY ORDERED that this action is dismissed for Plaintiff's
9 failure to prosecute and failure to obey a court order. The Clerk is directed to close this case.

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11 IT IS SO ORDERED.

12 Dated: February 6, 2015

13 /s/ Gary S. Austin

14 UNITED STATES MAGISTRATE JUDGE
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