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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	BENNY RAY CARTER,	No. 1:15-cv-00313-DAD-GSA
12	Plaintiff,	
13	V.	ORDER DISMISSING ACTION FOR FAILURE TO PROSECUTE AND FAILURE
14 15	STATE OF CALIFORNIA and DEPARTMENT OF CORRECTIONS –	TO COMPLY THIS COURT'S ORDERS
16	WASCO,	(Doc. No. 19)
17	Defendants.	
18	Plaintiff Benny Ray Carter is a state prisoner proceeding <i>pro se</i> in this civil rights action	
19	pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge	
20	pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
21	On June 23, 2017, this court issued an order to show cause why this case should not be	
22	dismissed due to petitioner's failure to prosecute and/or failure to comply with the court's Local	
23	Rules. (Doc. No. 19.) Therein, the court directed plaintiff Carter to file a written response to the	
24	order to show cause within twenty-eight days indicating his intent to proceed with this action and	
25	advising this court of his current address. (Id.) <sup>1</sup> The court further noted that petitioner's failure to	
26	comply with the order would result in dismissal of this action. To date, plaintiff has not	
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28	<sup>1</sup> Service by mail of that order was returned to the court by the U.S. Postal Service as "Undeliverable, Paroled," on July 14, 2017.	
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responded to the court's order to show cause. Accordingly, 1. This action is dismissed without prejudice due to for plaintiff's failure to prosecute and failure to abide by this court's orders; and 2. The Clerk of Court is directed to close this case. IT IS SO ORDERED. Dated: September 28, 2017