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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

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11 WONDIYRAD KABEDE,

12 Plaintiff,

13 v.

14 PLEASANT VALLEY STATE PRISON
15 WARDEN, et al.,

16 Defendants.

Case No. 1:15-cv-00635-BAM (PC)

ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED,
WITH PREJUDICE, FOR FAILURE TO
STATE A CLAIM, FAILURE TO OBEY A
COURT ORDER, AND FAILURE TO
PROSECUTE

(ECF No. 34)

TWENTY (20) DAY DEADLINE

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18 Plaintiff Wondiyrad Kabede (“Plaintiff”) is a state prisoner proceeding *pro se* and *in*
19 *forma pauperis* in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on
20 August 13, 2013, in the Northern District of California. On April 24, 2015, the action was
21 transferred to this Court. (ECF No. 13.) Plaintiff has consented to magistrate judge jurisdiction.
22 (ECF No. 19.)

23 On May 3, 2017, the Court dismissed Plaintiff’s second amended complaint with leave to
24 amend within thirty (30) days. (ECF No. 34.) The Court expressly warned Plaintiff that the
25 failure to file an amended complaint in compliance with the Court’s order would result in this
26 action being dismissed, with prejudice, for failure to state a claim and failure to obey a court
27 order. (*Id.* at 7.) The deadline for Plaintiff to file an amended complaint has passed, and he has
28 not complied with or otherwise responded to the Court’s order.

1 Accordingly, it is HEREBY ORDERED that Plaintiff shall show cause in writing, within
2 twenty (20) days of service of this order, why this action should not be dismissed, with prejudice,
3 for failure to comply with the Court's May 3, 2017 order, for failure to state a claim, and for
4 failure to prosecute. Plaintiff can comply with this order to show cause by filing a third amended
5 complaint. **The failure to comply with this order will result in the dismissal of this action,**
6 **with prejudice, for failure to state a claim, failure to obey a court order, and failure to**
7 **prosecute.**

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9 IT IS SO ORDERED.

10 Dated: **June 12, 2017**

11 /s/ *Barbara A. McAuliffe*
12 UNITED STATES MAGISTRATE JUDGE
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