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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWIN GARCIA,
Plaintiff,
v.
PODSAKOFF, et al.,
Defendants.

Case No. 1:16-cv-00394-BAM (PC)
**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO OBEY A COURT
ORDER, FAILURE TO STATE A CLAIM,
AND FAILURE TO PROSECUTE**
(ECF No. 10)
TWENTY (20) DAY DEADLINE

Plaintiff Edwin Garcia (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on March 22, 2016. (ECF No. 1.) Plaintiff filed a consent to magistrate judge jurisdiction on May 23, 2016. (ECF No. 7.)

On April 17, 2017, the Court issued a screening order dismissing Plaintiff’s first amended complaint with leave to amend within thirty (30) days. (ECF No. 10.) The Court expressly warned Plaintiff that the failure to file an amended complaint in compliance with the Court’s order would result in this action being dismissed for failure to obey a court order and failure to state a claim. (*Id.* at 12.) The deadline for Plaintiff to file an amended complaint has expired, and he has not complied with or otherwise responded to the Court’s order.

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Accordingly, the Court HEREBY ORDERS that Plaintiff shall show cause in writing, within **twenty (20) days** of service of this order, why this action should not be dismissed for Plaintiff's failure to comply with the Court's April 17, 2017 order, for failure to state a claim, and for failure to prosecute. Plaintiff can comply with this order to show cause by filing an amended complaint. **The failure to respond to this order will result in the dismissal of this action, with prejudice, for failure to state a claim, failure to obey a court order, and failure to prosecute.**

IT IS SO ORDERED.

Dated: June 1, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE