

1 property was stored at Salinas Valley State Prison while Plaintiff testified as a witness in Kern
2 County Superior Court. Plaintiff states he did not have his legal property to communicate with
3 the Court, nor did he receive any mail from the Court at this time. Plaintiff states that he only
4 received the Court's June 20, 2017 order and the September 28, 2017 show cause order, but he
5 never received the Court's June 21, 2017 screening order. Plaintiff attaches copies of the two
6 orders he received. (Id.)

7 Good cause appearing, IT IS HEREBY ORDERED that:

- 8 1. The order to show cause issued on September 28, 2017, (ECF No. 26), is
9 DISCHARGED;
- 10 2. The Clerk's Office shall send to Plaintiff a civil rights complaint form;
- 11 3. The Clerk's Office shall send to Plaintiff a copy of the Court's June 21, 2017
12 screening order dismissing the third amended complaint for failure to state a
13 cognizable claim and granting leave to amend (ECF No. 25);
- 14 4. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file a
15 fourth amended complaint or a notice of voluntary dismissal; and
- 16 5. **If Plaintiff fails to file an amended complaint in compliance with this order and**
17 **the Court's June 21, 2017 screening order, the Court will dismiss this action, with**
18 **prejudice, for failure to state a claim and failure to obey court orders.**

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20 IT IS SO ORDERED.

21 Dated: October 10, 2017

22 /s/ Barbara A. McAuliffe
23 UNITED STATES MAGISTRATE JUDGE
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