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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARTIN WARE,

Plaintiff,

v.

CHRISTIAN PFEIFFER, et al.,

Defendants.

Case No. 1:16-cv-01531-AWI-SAB (PC)

ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY WITH A COURT
ORDER AND FAILURE TO STATE A
COGNIZABLE CLAIM FOR RELIEF

(ECF No. 13)

Plaintiff Martin Ware is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On April 4, 2017, the Court screened and dismissed Plaintiff's complaint filed on October 11, 2016, with leave to file an amended complaint within thirty days from the date of service of the order. Over thirty days have passed and Plaintiff has failed to file an amended complaint in this action. The Court notes that on May 11, 2017, the Court filed a first amended complaint in this action; however, the Court subsequently determined that the complaint was improperly filed in this action as it was an amended complaint to be filed in case number 1:16-cv-01302-DAD-SAB (PC), Ware v. Bitter. On May 16, 2017, the Court disregarded the amended complaint and directed the Clerk of Court to file the complaint in case number 1:16-cv-01302-DAD-SAB (PC), Ware v. Bitter.

1 Based on Plaintiff's failure to file an amended complaint in this case, there is no pleading
2 on file which sets forth any claims upon which relief may be granted. Accordingly, Plaintiff is
3 directed to show cause within thirty (30) days from the date of service of this order why the
4 action should not be dismissed for failure to comply with a court order and failure to state a
5 cognizable claim for relief. Failure to comply with this order will result in a recommendation
6 that the action be dismissed.

7
8 IT IS SO ORDERED.

9 Dated: May 18, 2017


UNITED STATES MAGISTRATE JUDGE