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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY R. TURNER

Plaintiff,

No. CIV S-08-2087 EFB P

vs.

UNITED STATES OF AMERICA,

Defendant.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel and in forma pauperis in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff's consent. See E.D. Cal. Local Rules, Appx. A, at (k)(4).

On October 26, 2010, the court dismissed plaintiff's complaint for failure to state a cognizable claim. The dismissal order explained the complaint's deficiencies, gave plaintiff 30 days to file an amended complaint correcting those deficiencies, and warned plaintiff that failure to file an amended complaint would result in a recommendation that this action be dismissed for failure to state a claim.

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1 The 30-day period has expired and plaintiff has not filed an amended complaint or
2 otherwise responded to the court's order.

3 Accordingly, it is hereby ORDERED that this action be dismissed for failure to state a
4 claim. 28 U.S.C. § 1915A; 28 U.S.C. § 1915(g).

5 DATED: December 7, 2010.

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7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
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