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

GABRIEL Z. TORRES,

Plaintiff,

No. CIV S-08-3001 EFB P

vs.

CDC SOLANO STATE PRISON  
MEDICAL FACILITY, et al.,

Defendants.

ORDER

Plaintiff is a county 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* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(4).

On November 20, 2009, the court dismissed plaintiff's complaint with leave to amend. 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 may result in this action being dismissed.

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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 is DISMISSED for failure to state a  
4 claim.

5 Dated: February 25, 2010.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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