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

RONNIE O. BROWN,

Plaintiff,

No. CIV S-09-0388 EFB P

vs.

FORREST WILLIAMS, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding without counsel 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 August 17, 2010, the court found that the complaint cognizable claims against defendants Williams, Gonzales, Peterson, Duncan, Vaden, Pappa and Hubbard. The court further found that plaintiff had failed to state a cognizable claim for relief against defendant Dickenson. The court gave plaintiff 30 days to submit materials for service of process on defendants Williams, Gonzales, Peterson, Duncan, Vaden, Pappa and Hubbard, or, alternatively, 30 days to file an amended complaint to attempt to state a cognizable claim against defendant Dickenson. That order admonished plaintiff that failure to comply could result in dismissal.

1 The times for acting passed and plaintiff did not submit the materials necessary to serve
2 process on defendants, did not file an amended complaint or otherwise respond to the court's
3 order.

4 Accordingly, this action is DISMISSED. *See* Fed. R. Civ. P. 41(b); Local Rule 110.

5 DATED: October 4, 2010.

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7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
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