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

KENNETH A. SMITH,

Plaintiff,

No. CIV S-09-1428 GGH P

vs.

CDC, et al.,

Defendants.

ORDER

_____ /

On June 3, 2009, plaintiff filed his consent to the jurisdiction of the undersigned (docket #4). By order filed August 20, 2009, the court granted plaintiff thirty days to file an amended complaint. In the August 20th order, the court informed plaintiff of the deficiencies in his complaint. The thirty day period has now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court's order.

For the reasons given in the August 20, 2009, order, IT IS HEREBY ORDERED that this action be dismissed. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

DATED: October 30, 2009

/s/ Gregory G. Hollows

GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE

GGH:035
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