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

MARCUS ROBINSON,

Plaintiff,

No. CIV S-09-3036 MCE EFB P

vs.

LOR, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a prisoner, without counsel, suing for alleged civil rights violations. *See* 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 August 12, 2010, the court found that the complaint stated cognizable claims as to defendants Lor and Sandoval, but not as to any other defendant. The court gave plaintiff 30 days to submit materials for service of process on defendants Lor and Sandoval, or, alternatively, 30 days to file an amended complaint to attempt to state cognizable claims against additional defendants. The times for acting have passed and plaintiff has not submitted the materials necessary to serve process, nor has he filed an amended complaint or otherwise responded to the August 12, 2010 order.

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Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice.

See Fed. R. Civ. P. 41(b).

DATED: September 22, 2010.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE