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

MARK SWAGERTY,

Plaintiff,

No. CIV S-10-2157 GGH P

vs.

STATE OF CALIFORNIA, et al.,

Defendants.

ORDER

_____ /

On August 20, 2010, plaintiff filed his consent to the jurisdiction of the undersigned (docket #5). By order filed December 1, 2010, the court granted plaintiff twenty-eight days to file a second amended complaint. In the December 1st order, the court informed plaintiff of the deficiencies in his amended complaint. The twenty-eight day period has now expired, and plaintiff has not filed a second amended complaint or otherwise responded to the court's order.

For the reasons given in the December 1, 2010, order, IT IS HEREBY ORDERED that this action is dismissed with prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

DATED: February 24, 2011

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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