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

WADE MALLET,

No. CIV S-10-3226-CMK-P

Plaintiff,

vs.

ORDER

MOON JEU, et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c) and no other party has been served or appeared in the action. The court issued an order to show cause on April 22, 2011, requiring plaintiff to show cause why defendants Bal, Sahota, and Deems should not be dismissed for failure to state a claim.

The court outlined plaintiff's allegations in its prior order and will not repeat them here. The court found plaintiff's amended complaint was insufficient as to his claims against defendants Bal, Sahota, and Deems. Plaintiff was warned that failure to respond to the order to show cause may result in the dismissal of this action for the reasons outlined as well as for failure to prosecute and comply with court rules and orders. See Local Rule 110.

1 Plaintiff has not responded to the court's order as directed. The undersigned finds
2 it appropriate to dismiss these defendants from this action for plaintiff's failure to comply with
3 the court order, and failure to state a claim upon which relief can be granted.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Defendants Bal, Sahota, and Deems, are dismissed from this action; and
- 6 2. This action will proceed against defendant Jeu only.

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8 DATED: June 6, 2011

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10 **CRAIG M. KELLISON**
11 UNITED STATES MAGISTRATE JUDGE
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