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

EDWARD R. WEBB,

Plaintiff,

No. 2:12-cv-0345 EFB P

vs.

CALIFORNIA DEPARTMENT  
OF CORRECTIONS AND  
REHABILITATION, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff is a former 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 2, 2012, the court dismissed plaintiff's complaint for failure to state a claim. The dismissal order explained the complaint's deficiencies, gave plaintiff 30 days to file an amended complaint correcting those deficiencies, and warned plaintiff that failure to file an amended complaint would result in this action being dismissed for failure to state a claim. Despite being granted a lengthy extension of time, plaintiff has not filed an amended complaint.

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1           Accordingly, it is hereby ORDERED that this action is DISMISSED for failure to state a  
2 claim. Fed. R. Civ. P. 41(b); E.D. Cal. Local Rule 110; 28 U.S.C. § 1915A(b).

3 Dated: February 19, 2013.

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5 EDMUND F. BRENNAN  
6 UNITED STATES MAGISTRATE JUDGE  
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