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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNIS GARDNER,  
Plaintiff,  
v.  
J. McCARTHY, et al.,  
Defendants.

No. 2:12-cv-01613 DAD P

ORDER

Plaintiff is a former county prisoner proceeding pro se with a civil rights action seeking relief under 42 U.S.C. § 1983 and California state law. The parties previously consented to Magistrate Judge jurisdiction over this action pursuant to 28 U.S.C. § 636(c). (See ECF Nos. 4, 27.)

By order filed March 2, 2015, plaintiff’s Third Amended Complaint was dismissed and plaintiff was granted thirty days leave to file a Fourth Amended Complaint. (ECF No. 38.) Plaintiff was cautioned that his failure to timely file a Fourth Amended Complaint would result in the dismissal of this action. Thirty days from that date have now passed, and plaintiff has not filed an amended complaint, or otherwise responded to the court’s order.

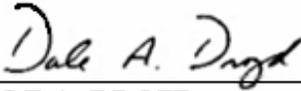
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Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice.

See Local Rule 110; Fed. R. Civ. P. 41(b).

Dated: April 20, 2015



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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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