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

JESSE G. SWAFFORD,

No. 2:13-cv-1944-CMK-P

12 Plaintiff,

VS.

<u>ORDER</u>

SACRAMENTO COUNTY MAIN JAIL,

15 Defendant.

Plaintiff, a 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 June 24, 2015, requiring plaintiff to show cause why this action should not be dismissed for failure to identify the appropriate defendant to this action in, file an amended complaint, and serve the complaint on the identified defendant. Plaintiff was warned that failure to identify the appropriate defendant in order for this case to proceed may result in dismissal of this action for lack of prosecution and failure to comply with court rules and orders. See Local Rule 110. To date, plaintiff has not filed a response to the order to show cause.

The undersigned therefore finds it appropriate to dismiss this action for plaintiff's failure to comply to court orders, and to timely identify an appropriate defendant to proceed with this action.

Accordingly, IT IS HEREBY ORDERED that:

- 1. This action is dismissed; and
- 2. The Clerk of the Court is directed to close this case.

DATED: October 21, 2015

CRAIG M. KELLISON

UNITED STATES MAGISTRATE JUDGE