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

VINCENT J. BIAGAS, SR.,

No. 2:13-CV-2656-CMK-P

Plaintiff,

vs.

ORDER

T. VIRGA, et al.,

Defendants.

_____ /

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.

On May 29, 2014, the court dismissed plaintiff’s original complaint with leave to amend. The court identified a number of defects in plaintiff’s complaint, chief among them being that plaintiff’s complaint failed to contain a short and plain statement of his claim as required by Federal Rule of Civil Procedure 8(a). Additionally, plaintiff appears to be asserting unrelated claims against numerous defendants, which contravenes Federal Rule of Civil Procedure 18(a). Finally, plaintiff failed to allege a link between any named defendant and the alleged constitutional violations.

1 Following numerous extension of time, plaintiff filed a first amended complaint
2 on December 1, 2014. The amended complaint suffered from the same defects and, on
3 November 3, 2015, the court directed plaintiff to show cause why the action should not be
4 dismissed for failure to state a claim. After numerous additional extensions of time, plaintiff
5 filed a response to the order to show cause on March 11, 2016. Having reviewed plaintiff's
6 response, the court finds that plaintiff has not offered anything to indicate that plaintiff will be
7 able, upon further leave to amend, to cure the defects identified in the court's prior orders. To
8 the contrary, his response is just as convoluted as his complaints.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. This action is dismissed, without prejudice, for failure to state a claim;
- 11 2. Plaintiff's "Motion for Investigation" (Doc. 21) is denied as moot; and
- 12 3. The Clerk of the Court is directed to enter judgment and close this file.

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14 DATED: March 23, 2016

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16 **CRAIG M. KELLISON**
17 UNITED STATES MAGISTRATE JUDGE
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