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

TAMIR ABDULLAH HABEEB,

No. 2:14-cv-0706 CMK

Plaintiff,

vs.

ORDER

M.D. STAINER, 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.

The court issued an order to show cause on January 12, 2017, requiring plaintiff to show cause why this action should not be dismissed for failure to file an amended complaint. Plaintiff was warned that failure to file an amended complaint 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 or an amended

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1 complaint.<sup>1</sup>

2 The undersigned therefore finds it appropriate to dismiss this action for plaintiff's  
3 failure to comply to court orders, and failure to file an amended complaint.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. This action is dismissed without prejudice; and
- 6 2. The Clerk of the Court is directed to close this case.

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9 DATED: March 16, 2017

*Craig M. Kellison*  
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**CRAIG M. KELLISON**  
 UNITED STATES MAGISTRATE JUDGE

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 25 <sup>1</sup> Although it appears from the file that the order was returned, the parties were  
 26 properly served. It is the responsibility of the parties to keep the court apprised of their address  
 of record at all times. Pursuant to Local Rule 182(f), service of documents at the record address  
 of the party is fully effective.