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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRED F. ORELLANA,
Plaintiff,
v.
CDCR, et al.,
Defendant.

No. 2:14-cv-2282 CKD P

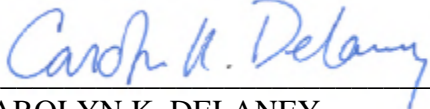
ORDER

By order filed October 28, 2014, plaintiff's complaint was dismissed for failure to state a claim and thirty days leave to file an amended complaint was granted. The thirty day period has now expired, and plaintiff has not filed an amended complaint. Rather, he has filed a motion seeking to have this action transferred to state court so that he may proceed on a negligence claim (ECF No. 10), a request outside the scope of this court's duties. Plaintiff has consented to this court's jurisdiction pursuant to 28 U.S.C. § 636(c) and Local Rule 302.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for removal (ECF No. 10) is denied; and
2. This action is dismissed with prejudice for failure to state a claim.

Dated: December 9, 2014


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE