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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAIME J. MINCHACA,
Plaintiff,
v.
U.S. MARSHAL SERVICE, et al.,
Defendants.

No. 2:15-cv-00570 AC P

ORDER

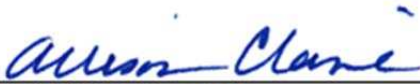
Plaintiff is a federal prisoner proceeding pro se with this putative civil rights action and a request to proceed in forma pauperis. Plaintiff is incarcerated at the North Fork Correctional Facility in Oklahoma. Plaintiff has consented to the jurisdiction of the undersigned Magistrate Judge for all purposes pursuant to 28 U.S.C. § 636(c) and Local Rule 305(a). See ECF No. 5.

By order filed May 4, 2015, this court informed plaintiff that his complaint fails to demonstrate this court’s jurisdiction to consider his claim and requested relief. The complaint appears to seek plaintiff’s return to California to serve concurrent federal and state prison terms, and names as defendants the United States Marshal Service and the “Director of Federal Revocation.” This court accorded plaintiff the option of filing, within thirty days, an amended complaint under 42 U.S.C. § 1983, or a habeas petition under 28 U.S.C. § 2254 or § 2255. The court deferred ruling on plaintiff’s in forma pauperis application until he filed an amended pleading. Plaintiff was informed that no fee would be assessed if he chose to voluntarily dismiss

1 this action, and that failure to timely file an amended pleading would result in the dismissal of
2 this action without prejudice. See ECF No. 9 at 4.

3 The time for filing an amended pleading has expired. Plaintiff has not responded to the
4 court's order or otherwise communicated with the court. Accordingly, due to plaintiff's failure to
5 respond and for the reasons stated in the court's prior order, IT IS HEREBY ORDERED that this
6 action is dismissed without prejudice. See Fed. R. Civ. P. 41(a)(2).

7 DATED: June 29, 2015

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10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE
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