1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 TRAVARE M. GRANT, No. 2:15-cv-0864 CKD P 12 Plaintiff. 13 v. **ORDER** 14 R. L. BRIGGS, 15 Defendant. 16 17 Plaintiff is a state prisoner, proceeding pro se and in forma pauperis, who seeks relief 18 19 20 court. (ECF No. 12.) Plaintiff has consented to Magistrate Judge jurisdiction over all 21

pursuant to 42 U.S.C. § 1983. On May 14, 2015, plaintiff's complaint was dismissed with thirty days' leave to amend. (ECF No. 9.) Plaintiff has filed an amended complaint, now before the proceedings in this action. (ECF No. 7.)

The court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1), (2).

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Having reviewed the amended complaint, the undersigned concludes that it fails to cure the defects of the original complaint as discussed in the May 14, 2015 screening order. Because it

appears that another round of amendment would be futile, the undersigned will dismiss this action for failure to state a claim. Accordingly, IT IS HEREBY ORDERED that this action is dismissed with prejudice for failure to state a claim. Dated: June 5, 2015 UNITED STATES MAGISTRATE JUDGE 2 / gran0864.fac